

**THE
LIFE STORY
OF
JEFF DAVIS**

—
**BY
CHAS. JACOBSON**
HIS PRIVATE SECRETARY

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FORMER PRIVATE SECRETARY TO
SENATOR JEFF DAVIS.

THE LIFE STORY OF

JEFF DAVIS

The Stormy Petrel of Arkansas Politics

BY

CHAS. JACOBSON

His Private Secretary

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FOREWORD

Herbert Kaufman, writer on sociological matters, wrote a short biography of a noted philanthropist, preambuling it with the following:

Bystanders cannot judge the aim of a big gun; the elevation is confusing.

So with big men. The angles at which they work do not tell where they are pointing. Study them at too close range and one is certain to be misled by many empty reports.

The real score of any life may only be secured at the target.

Folks sufficiently important to be remembered leave behind the only part of themselves which counted.

Autobiography, like the painting of one's own portrait, is usually a poor performance—there's no chance for a proper perspective.

It is beyond human resource to gain an outside viewpoint from within.

Cellini sincerely sought to maintain a disinterested attitude, but if we were to accept the Florentine at his word, instead of his works, his strongest claim to distinction would be that of an unscrupulous wretch. With an honest intent to record every act and impulse of his brilliant, dishonest career, posterity alone has appraised why Benvenuto's name should endure.

On the other hand, biographies, like photographs, are seldom actual likenesses—they are too carefully posed or retouched.

Familiarity breeds either a contemptuous or a contemptible historian.

Praise and prejudice alike betray their accentuations. Intuition has a keen ear for the false singer. Truth holds the key.

The difference between characterization and caricature is readily detected.

It is a rare celebrity who can keep the smirk out of his ink or convince us that he has no ulterior object in electing himself a literary subject.

With a few conspicuous exceptions, biographies, as a rule, are undertaken by men incapable of editing their careers (they weary us with experiences and observations in which the outsider has no interest whatever) or by scribes either fired with admiration, hired by vanity, or inspired by propagandism. And no partisan, today, or special pleader is a reliable witness.

Therefore, it is customary to find current biographies listed among "the season's worst sellers."

Yet nothing can profit us much more than an intimate knowledge of remarkable personages.

But others seldom know, and variants from type can or do seldom show the particular sections of their peculiar works we most desire to examine.

Post-mortem information often discloses little crooks in the mechanism of power which it is quite natural that every attempt should be made to conceal.

But no piece of machinery, human or otherwise, can run long without revealing its flaws.

So, it is logical to assume that most who achieve far above the average have worked on sound, sane lines and merit their recognition.

There are about three specifics in all medicine; the remaining remedies are empirical—not always successful.

When we encounter a fellow mortal who has always been successful, the multitude (which is always a comparative failure) instinctively turns to him in the hope that his methods will provide a specific for its unprosperity.

The biography of Jeff Davis is neither an attempt to write a story or paint a picture. The moral to be drawn from the history of his political life depends solely upon the mental reactions of each reader. Methods may be questioned, motives doubted, means challenged, but physical facts cannot be denied. Whether his was one of chance, foresight, vision, fate, or otherwise, must be determined by the student of these chapters. It is a problem the writer has never successfully solved for himself. All must agree that political annals furnish but few, if any, parallels. It is useless to speculate upon what his ultimate political career might have been had he lived out his life, or had he started in life under a different environment, or been a man of scholarly attainments, for there are no rules of logic nor mental processes by which this question could be determined.

That he was a political genius cannot be denied. That he arose to be the supreme political dictator of his state during the time he held sway, all must admit; that he was a remarkable personage, even his political enemies concede. His genius entitles him to a recordation of his acts and the public has an interest in them. If there were any flaws in the machinery of his life it is but evidence of the fact that at last he was but a human being, and there is always a certain amount of eccentricity chargeable to every genius, without which he could not have been one.

BIOGRAPHY OF SENATOR JEFF DAVIS

WRITTEN BY CHARLES JACOBSON.

DEDICATION.

To what supreme heights would history rise if it could chronicle its events as they occur, so that no room would be left for quibbling as to its accuracy. How much better it would be if we could substitute recordation of current events, for tradition, which is now made possible by an active daily press, the motion picture cameras and the lightning rapidity of shorthand. And yet, by reason of our inability to foretell coming events, to adequately judge values, we are apt to overlook that which may afterward become vital and fundamental and then are forced to rely to a considerable extent upon memory and hearsay. This is less true with events than with men, and it is most unfortunate that we cannot anticipate the brilliant future carved out by some of our illustrious sons who reach the highest pinnacle of fame, linger there for a while, then pass into history. It is unfortunate that we fail to preserve a record of their daily doings and sayings which make up their philosophy, that future generations might see and judge as we had opportunity.

When Senator Jeff Davis of Arkansas delivered the opening speech of his campaign for attorney general, as private citizen Jeff Davis, in the thriving little city of Eureka Springs, which nestles in the heart of the Ozarks, where nature lavishly each day gives forth her pure and

sparkling waters, there was none who anticipated, or could have possibly done so, that this man, practically unknown, physically stricken, who had to sit in a chair in order to deliver his speech, was then initiating a spectacular and stormy ascent to the highest rung of the political ladder of fame; that he would change the political dynasty of Arkansas, wreck a fixed system in vogue for fifty years, demoralize and revolutionize the administration of public affairs, destroy the prestige of learned and able politicians whose lives had been devoted to the public service, elevate in their place men, who, up to that time, had never been heard of outside the limits of their incorporated towns; direct the ship of state into channels uncharted and unknown; array the country against the city, the masses or so called "common people" against the "classes" or so called "highbrows."

Who dreamed that this man would be the subject of comment by metropolitan press, magazines, and cartoonists, from coast to coast, that he would dominate the politics of his state as vigorously as any autocracy that ever flourished, and build a political machine so powerful and so impregnable that it would sweep over the state like a Jugger-naut, crushing everything that stood in its way?

After some years of earnest solicitation and persuasion, I have reluctantly consented to write the biography of the man with whom I was in daily association from 1899 to 1908. I shall endeavor to speak of him as I knew him, watched and studied him, and to give the result fairly and impartially as my records reflect and my memory serves, leaving out only the non-essentials.

Jeff Davis was essentially a man of the people. He loved to refer to them and speak of them as the "one-gallus brigade," the "red-necks" and the "hill-billies," the

“boys who live up the forks of the creek” and wore “patched breeches.” He loved these “horny-handed, sun-burned sons of toil,” by whose votes he was elevated from attorney general to U. S. Senator; these boys who would have believed no evil of him, but who through years of his administration were faithful until death.

His meteoric career with its humble and insecure beginning left no opportunity for careful posing, and no effort is made at retouching.

No one can justly accuse him of electing himself a literary subject. The writer has at all times been conscious of his inability to edit the career of his subject, but with becoming modesty arrogates to himself the virtue of being a fairly reliable witness. Yet mindful of his inability to do justice to the subject, he still feels that his many years of intimate personal contact with Jeff Davis gives him a prior right to sketch him as he found him, though he does so after many years of hesitancy, realizing his inexperience in undertaking to paint a picture so full of possibilities.

It is my belief in the demand for a biographical sketch of this inimitable man that impells me to the task. The reader is asked to not judge from a literary viewpoint, for this book makes no pretension to literary merit. In our own homely fashion the public is given a sketch of a man whose career typifies the genius of our American institutions and American spirit, showing that no matter how humble our origin the future heights to which we may rise are circumscribed only by our own limitations.

To the American youth of our beloved country, the future leaders in politics, finance, business, or profession, this book is affectionately dedicated.

CHAPTER I.

HIS EARLY LIFE.

Shortly after Senator Davis was elected Governor, it became necessary for him to have a rubber stamp made to stamp commissions and other documents too numerous to sign personally. When I asked him for his signature for that purpose, he wrote it "Jefferson Davis," but shortly afterward he concluded the word "Jefferson" was too formal and conventional, and he lapsed back to "Jeff." Always thereafter he signed his name "Jeff Davis," so I may be pardoned if in this biography I refer to him as such, for it is done with the greatest deference and respect and without the least intention of speaking lightly of him.

Jeff Davis was born in Little River county, Arkansas, May 6, 1862. It was always a source of regret to him that he was too young to participate in the Civil War. He never did agree that the result of this war was a victory of right over wrong or that it was a just settlement of the issues involved. He believed that the South, from a legal viewpoint, was correct in its position and should have been sustained from a moral and physical standpoint, but was overwhelmed by numbers, superior training and equipment.

His father, Judge Louis W. Davis, obtained his title by reason of being County and Probate Judge of Little River county, but started out in life as a Baptist minister, which calling he afterward forsook for the practice of law. Judge Davis was a man of strong character and keen discernment, with a strongly developed sense of

humor. His judgment was always sought by his son even while he was serving as Governor. The Judge was always conservative and deliberate and thoroughly logical. He was the needle that often pointed out to the Governor the errors of omission or commission.

About the time the Senator was a young lad, his father moved with his family to Pope county, residing first at Dover, then the county seat, and subsequently at Russellville. There he spent his boyhood days until he entered the University of Arkansas at Fayetteville. He did not stay there for a period of time sufficient to be graduated. He then entered the law department of Vanderbilt University, at Nashville, Tenn., but was not graduated therefrom. He next went to Lebanon, Tenn., received a diploma from that instituton, and returned to Russellville, where he entered into the practice of law with his father, the firm being later augmented by Judge J. G. Wallace. Before graduating at Lebanon, however, he, at the age of 19, went with his father to Ozark, where he was examined for license to practice, the examining committee being composed of Judge William Mansfield and Judge J. V. Bourland. On petition, his disability as to age was removed, and he was admitted to practice in the Circuit Courts of the state. Judge Bourland tells an incident that occured at that time when Judge Mansfield, in mock seriousness, asked Judge Davis what would now be the style of the firm, and Judge Davis replied, soto voce, "Jeff Davis and Father." His words, though spoken in a spirit of jest, proved prophetic, and it was not long before clients began to call for Jeff when an attorney was to be employed, and he acted on the assumption that the laborer was worthy of his hire, when he went to fix the fee.

CHAPTER II.

HIS FIRST EXPERIENCE AS A STUMP SPEAKER.

From all information that can be gathered by hearsay, Jeff Davis' school life was uneventful. He neither distinguished himself in class nor on the athletic field, but in him was recognized an easy process of assimilation. He was a quick thinker, but not a student. He did not obtain his knowledge by burning midnight oil, but depended a great deal on his intuition, his ability to grasp quickly a proposition and his wonderful power of absorption. He was, however, thoroughly deficient in patience, and of a high-strung, nervous temperament, and this might, to some extent, account for the fact that he did not remain at the University of Arkansas the prescribed period necessary for graduation. Neither was he graduated from the law department of Vanderbilt, of which fact mention will be made later.

Little can be said with reference to his life prior to his entrance into the public arena. His first experience as a candidate, and, incidentally, as a stump speaker, is epigrammatically described in his speech at Bentonville in 1905, as a candidate for United States Senator against the late Senator Berry, in which he said:

"I do not know whether there are any Populists here today, and I do not care. I used to hate the Populists worse than any man in the state. I used to fight them. In 1888 I was chosen by the democracy of this state, a freckle-faced, red-head boy, as one of their presidential electors, and nothing gave me more pleasure than to fight the Populists of our state."

As a presidential elector Senator Davis spoke in several counties, but it will be recalled that a fusion was effected with the Populists, who at that time were quite strong in the state. The fusion was the outcome of a request by Wm. Jennings Bryan, at that time the Democratic candidate for President.

A portion of the Democratic electors were withdrawn and Populists substituted in their place. Jeff Davis was one of the Democratic electors to be withdrawn, after which he was chosen by the electors as messenger to carry the vote to Washington.

In his quaint and inimitable way he relates his experience as a speaker. He says:

"I came very nearly getting mixed up with 'Cyclone' Davis one time, the Populist leader of Texas. I had been invited to make a speech in Batesville in 1888, while I was a mere boy. They telegraphed for 'Cyclone,' who was in St. Louis. When I discovered this, I was almost scared to death, knowing what a mighty man he was, but the old Pops received a wire from him saying that he could not come. Some one slipped into his room the night before and stole his money and pants and the train left so early that he could not get out and get more, and I have thanked God ever since that 'Cyclone' lost his breeches."

Davis was again selected as a Presidential Elector in 1896, and made several speeches. The press at the time had much to say about the splendid presentation of the issues made by the boy orator, his earnestness and zeal and glowing tributes were paid him for his unselfishness in withdrawing in the interests of the party.

There is no question but that he sincerely believed William Jennings Bryan was the most wonderful man of the



SEN. JEFF DAVIS.

age and he never failed in any of his speeches to pay him tribute accordingly. He used to say in his speeches:

"You will also remember that in 1896 we nominated one of the grandest and truest men the world ever knew, William Jennings Bryan, for President. . . ."

He carefully read everything that he could get his hands on that Bryan ever wrote, including the "Commoner," never failed to attend a Bryan lecture or speech whenever opportunity presented itself, and really believed everything he said about the great Nebraskan.

He might to some extent have originally been influenced by the fact that Arkansas was distinctly a Bryan state and that in praising him he was playing upon a popular chord, but later when they came to know each other personally, his admiration for Bryan was genuine and unbounded, and he believed that everything Bryan said or did was right. Their relations were most cordial and friendly up to the time of the Senator's death.

CHAPTER III.

HIS FIRST POLITICAL CONTEST.

Jeff Davis' advent into the political arena whetted his appetite for politics. He had tasted political fame. He had felt the thrill in his body and the acceleration of the blood through the arteries, as he stood in the midst of the multitude and preached democracy. Like a young giant that had been sleeping for ages, his eyes began to open, the consciousness of latent power began to awaken, and he began to stretch himself and flex his muscles and look about for something upon which to test his strength.

At that time he was living in Russellville, in the judicial district composed of the counties of Pope with the county seat at Russellville; Johnson, with the county seat at Clarksville; Yell, with the county seats at Dardanelle and Danville; and Conway, with the county seat at Morrilton. The most promising and at the same time most lucrative office for a lawyer was that of Prosecuting Attorney and he thereupon shied his castor into this ring. He met a foeman worthy his steel in the person of Chas. C. Reid, who had just been graduated from the law department of Vanderbilt University, "*cum laude*," and who was practicing law in Morrilton with the late Attorney General Wm. L. Moose. Mr. Reid at that time was 21 years of age, or slightly over, and Jeff Davis a few years his senior. The contest was an exceedingly close one. In those days blanket primaries were not in vogue. The old convention system was the method used, the rule being that the number of delegates to which each county was entitled in the convention, depended on the vote in the last general elec-

tion. The candidate receiving the highest number of votes in each county was entitled to the delegated vote of that county.

Mr. Reid carried the counties of Conway and Johnson and Jeff Davis carried Pope and Yell, which two counties had a few more delegated votes than the two Mr. Reid carried, just giving Davis the nomination.

As to how circumstances may change the whole trend of a man's life and change the course of human events, may be exemplified by the fact that at this election it was known that Jeff Davis had carried Pope county and that Mr. Reid had carried the other two, and that the vote of Yell county would decide the contest.

For some days the contest hung in the balance, the vote in Yell county being so close, but after it was officially promulgated it was found that Jeff Davis had carried the county by a small majority over Mr. Reid. This small majority was to play a most important part in the lives of many prominent men.

Jeff Davis served in this office from October 30, 1890, to October 30, 1894, being succeeded by Mr. Reid, who was nominated without opposition, and who was subsequently elected to Congress and served there many years, and finally retired to enter practice of law in Little Rock with Tom M. Mehaffy. There is no question but what the contest between these brilliant young orators was an intense and interesting one. They were both aggressive, of unquestioned ability, and unlimited resources, other than financial, and in the judgment of the writer, would have made a wonderful law firm had they combined their talents, and forsaken the field of politics. But it was hard to confine Jeff to an office. He wanted to be out in the

open, talking, hunting, training dogs. He was a splendid shot, passionately loved hunting quail and always kept a number of splendidly trained pointers and setters.

CHAPTER IV.

HIS SERVICE AS PROSECUTING ATTORNEY.

It was while he was serving two terms as Prosecuting Attorney that my acquaintance with Senator Davis began. During the last year of his service in that capacity I was his deputy for Conway county.

I doubt if ever in this state there was a Prosecuting Attorney more active, more vigorous and more to be feared than he, throughout the district. The fee system being in vogue and the revenues of the office depending upon conviction, few guilty men had a chance to escape the meshes of the law. He was fearless and pugnacious in his prosecutions. No matter how long the case, or how many witnesses were examined, he never resorted to notations, but his mind absorbed the evidence like a sponge absorbing water. He then marshalled the evidence before the jury in a careful and analytical manner, and with the same systematic and orderly precision as the captain of a military company directing its movements, and so presented it as to have the greatest effect. His cross-examinations were skillful and vigorous and he was a terror to any witness who undertook to misrepresent the truth. He was not only familiar with the psychology of his jury, but impressed upon them his own personality, and it was difficult to get an acquittal when Jeff Davis made the last appeal to the jurors. I have seen him prosecute cases when Judge Davis, his father, represented the defense, and from the viewpoint of the interest of the state, even in those cases, there was nothing left to be desired. The Judge, with his keen sense of humor, would attempt to ridicule

his prosecuting son, but Jeff Davis could not be beguiled into lessening in any degree the vigor of the prosecution.

He came in active contact with members of the bar in every county in his district and with visiting lawyers, and held his own against them all. As a result of his vigorous prosecutions and the large number of convictions obtained, he made a great many enemies throughout the district. This engendered against him a considerable unpopularity, which after some years, manifested itself as will be shown in subsequent chapters.

It was during the four years that he served as Prosecuting Attorney that he began to realize his power over the people and his ability to sway them. At the same time he began to develop physically and mentally and little did he realize at that time, how generously nature had dealt with him in bestowing upon him a splendid personality and endowing him with a wonderful physique. He was tall, broad-shouldered, well proportioned and had a boyish face which in after years was not indicative of his advancing age. During the later part of his life he became somewhat rotund, which seemed to worry him considerably, but he maintained his youthful appearance.

During this time as his fame as a Prosecuting Attorney began to develop, he began to accumulate a large law library which was always a source of pride and boast by him.

While Senator Davis never undertook seriously to apply himself as a student of the law, he was very fortunate this time in having on the bench the former law partner of his father, Judge Jeremiah G. Wallace, who, while lacking the physical attainments which nature had so lavishly bestowed upon the Senator, was a splendidly balanced jurist, thoroughly grounded in the law, and who

was of considerable aid to the young Prosecuting Attorney. It is a pleasing coincidence that in after years when Davis became Governor of the state, and the chancery districts in Arkansas were created by the legislature of 1903, it was his pleasure to appoint Judge Wallace chancellor, and commission him as such. It was a splendid exemplification of the Governor's gratitude, a virtue that characterized him during his entire public service. Whatever else may be said of him, no one can justly accuse him of ingratitude, in fact, I regard gratitude as his predominant characteristic.

There is no question but that his four-year tenure materially qualified him for his future conquests. He acquired confidence in himself, ability to meet opposition, legal experience, and acquaintance throughout his district. In addition to this, he received favorable comment over the state, all of which combined to implant within him seeds of political ambition. His career, however, as afterward developed, was along political lines and in channels never dreamed of by him at that time. He conceived the ambition to represent his district in Congress. His district at that time, the Fourth Congressional, was composed of the four counties representing his judicial district, Pope, Yell, Johnson, and Conway, together with Pulaski, Perry, Logan and Franklin.

CHAPTER V.

HIS FIRST DEFEAT FOR OFFICE.

In a previous chapter we saw how a few votes in Yell county would have changed the destiny and course of the entire life of Senator Davis. How slender, in fact, is the thread upon which our destinies hang! How truly has it been said that man proposes and God disposes. How unfortunate it would be if our prayers were always answered, for we have prayed at times in the most earnest manner for things, little realizing at the time, whether what we asked for was for our good. And yet, how true it is that "There is a destiny that shapes our ends, rough hew them as we may."

Senator Davis became imbued with the idea of making the race for Congress. The district was then being represented by that splendid lawyer and statesman, Hon. W. L. Terry, of Little Rock. He was a lawyer of commanding appearance, splendid attainments, and exceedingly popular throughout the district. A forceful debater, he had served his people well and ranked high among his colleagues in that august deliberative body. Jeff Davis could not have selected a more worthy foeman against whom to test his steel in the political arena. I mention these matters because this contest is known to only a small ratio of people in Arkansas, and I do not now recall that it was ever brought up by any of his opponents in his subsequent contests.

It has been noted that the district was composed of eight counties, four of which were in the judicial district in which he had served four years as Prosecuting Attorney.

By all the rules of the game of politics, the presumption seemed conclusive that he should carry his judicial district, together with Perry, a county that joined both Conway and Yell, which would be sufficient to give him enough delegates in the convention to insure his nomination.

Colonel Terry was first elected to Congress in 1890, and re-elected in 1892. In the contest for the nomination in 1894 he was unsuccessfully opposed by Judge J. G. Wallace. It is a coincidence that he should have been opposed for his fourth term by Jeff Davis.

As already stated, the convention system was then in vogue, and townships selected delegates to a county convention. On a day fixed, the delegates met, the roll of townships was called, and the candidate receiving a majority of the votes carried the county and received its delegated vote in the Congressional convention.

The county convention of Pope county, the home of Jeff Davis, was held on the first day of February, 1896. The delegates cast the vote of the county for James P. Clarke for Governor, R. B. Hogins of Russellville, for Secretary of State, and Chas. C. Reid for Prosecuting Attorney. Jeff Davis and W. L. Terry were then placed in nomination for Congress and the roll of townships being called, it was found that Davis had 42 votes, and Terry 22 votes. Thereupon Davis arose and feelingly addressed the convention, announced his desire to withdraw from the contest and pledged his undivided support to whoever should receive the Democratic nomination for Congress.

In explanation of the apparently poor showing made by Davis in his race for Congress it can truly be said that he was reaping the political rewards attendant upon a service of four years as Prosecuting Attorney of his

district. It is an office that if vigorously administered, necessarily creates enemies without any corresponding political compensation. There was no diplomacy connected with his administration of that office. Being, comparatively speaking, a young man, and suffering his first political reverse, we do not wonder that in his political doxology, he spoke feelingly. It is not violent to presume that he still harbored thoughts of a future contest for this office and an opportunity to vindicate himself before the people of his own county, one-third of whom had been instructed to vote for his opponent.

It could not have been within the realms of human conception to believe that one who had made such an unsuccessful contest, particularly such a poor showing in his county, could stage such an unprecedented comeback, but it is unquestionably an evidence of his supreme confidence in himself, his bulldog tenacity, his realization that he could profit by his experience, and his ability to profit thereby. He thereupon threw himself into the practice of law and we find his name a number of times in the Supreme Court records in civil as well as criminal cases. We find him enjoying a large and lucrative practice throughout his district. Yet he kept up his political affiliations.

From then on, however, his ambitions led him along entirely different and distinct channels than those previously traversed by him. He had selected the route he desired to travel, but fate had interposed an insurmountable obstruction, dealing more kindly and gently with him, as subsequent events proved, than at that time he could possibly realize. The star of his destiny began to show itself in the political firmament and pointed to him an entirely different road to his political goal. Who knows

what his destiny may have been had he been successful in his contest for Congress. It may be that he would have carved a reputation for himself in that august body, but it is hardly probable, as he was not equipped along the lines necessary to make a successful Congressman. He lacked the application so necessarily the result of patience and detail, research and preparation; besides, Congress at that time, and for some time afterward, was Republican, and Democratic minority members had little or no opportunity for recognition. In the political army he was to be a leader of men and not of officers, so that his latent talents would not have been developed in that capacity.

The writer often wonders why it was that Davis never referred to that contest nor desired anyone else to discuss it with him, for he must have realized in after years that his defeat was the most fortunate thing that could have happened to him.

From now on we will discuss the steps that led to his unprecedented political ascension, together with causes and effects.

CHAPTER VI.

HIS MARRIAGE TO MISS INA M'KENZIE.

An event occurred during Senator Davis' term of office as Prosecuting Attorney that was to mark an epoch in his life. I refer to his marriage to Miss Ina McKenzie. While, as a matter of fact, marriage usually marks an epoch in the life of any person, his wife's impress upon his political career was to be more marked than either of them ever dreamed at the time.

It was my good fortune to come into contact with Mrs. Davis innumerable times, nearly always in her home, as she seldom found occasion or the necessity for visiting the office. I could not help being profoundly impressed with her wonderful intuition, her keen sense of discrimination and unerring conclusions, her unvarying sense of justice to all, and her judgment of values. Her sense of right and wrong was so highly developed and accentuated, that she often criticized her husband for being at times, as she thought, too vindictive, too vitriolic in discussing his opponents. He discussed with her every measure of importance coming before him for action, and while at times she did not understand the technicalities involved, she decided everything by her simple rule of justice and right. She was keenly interested in all his campaigns and in his close friends, the majority of whom she knew either by sight or name, and she often sent for me while the Senator was out on a campaign tour, to ascertain what I thought of the situation and what was going on in the Governor's office.

Senator Clarke, than whom there existed no keener

judge of human nature, often in conference with me referred to Mrs. Davis as one of the most remarkable women it had ever been his pleasure to know, and asserted that the Senator was most fortunate, indeed, to possess a helpmate such as she.

In discussing Mrs. Davis it would be folly for me to attempt to describe her or portray her after the same was done by Senator Clarke in that splendid style of his when he said:

“About the time he was elected Prosecuting Attorney, he was married to Miss Ina McKenzie, herself the daughter of a Methodist minister. It is worth while, in passing, to call attention to the remarkable contribution made to the effective working forces of society by pioneer Christian preachers of our frontier civilization. The personal hardships of this ministry, and the rugged qualities of steadfastness to a high purpose which caused them to devote themselves to the salvation of a weak and fallen humanity reproduced their honesty and masterful qualities of fidelity in an offspring that constitute many of the leaders of the race in the communities where they cast their lot. The history of nearly every community in the Southwest will disclose instances which furnish verification for this observation. The case of Senator Davis, and that of his beloved and devoted wife, bear as strong evidence of this as any incident within my personal observation. Senator Davis was the beneficiary of much good luck and many fortunate contingencies, but, in my humble opinion, none of them have so profoundly affected his career as the circumstance which directed his course across the pathway of Ina McKenzie and united his destiny with hers. I enjoyed abundant opportunities for knowing personally that she was a woman of a masterful mind, strong convictions,

and of gentle and powerful personality. She was the only person I ever knew who could influence Senator Davis against what appeared to be his settled conviction, whim, or purpose. With a woman's intuition she knew exactly what he ought to do, and where her judgment conflicted with his, she generally found means to cause her views and wishes to be respected. She was not an unsexed woman who ruled by force of command, but she employed in her conquest, womanly qualities only. Those she possessed without limit, and by the exertion of them was able to control in such a way as to be in fact the helpmate of her husband, and to become the head of a family of children whose habits, character and demeanor testify to the fact, that, while she was familiar with the controversies and methods of affairs outside of the home circle, above all, she was at best in her own home. A few years since, she died, leaving behind her a mourning family of splendid children and a distressed host of friends, all only too sensible of the fact that they had lost a devoted mother and an inspired counsellor."

As the fruit of their marriage, twelve children were born to them, four of whom pre-deceased their mother, eight, all strong and virile, surviving at the time the Senator passed away.

CHAPTER VII.

HIS CONTEST FOR ATTORNEY GENERAL.

Senator Davis hesitated long and deliberated at great length before he finally made up his mind to offer for Attorney General. He was so undecided about it, that he made a trip to Morrilton to consult Chas. C. Reid, who at that time was prosecuting attorney, and who had succeeded him in that office. They had a lengthy conference, in which Davis stated he understood some of Mr. Reid's friends were urging him to offer for the place and that if he had any intention of so doing, he, Davis, would give him his unqualified support, both publicly on the stump and otherwise.

Mr. Reid told Senator Davis he had no desire whatever to be Attorney General, though he had received numerous solicitations by well-meaning friends in various parts of the state; that he was pleasantly situated at home, enjoyed a splendid practice, lived among his life-long friends and was contented and his ambitions were not along those lines. He further told the Senator that if he desired to make the race, he would accord him his unqualified support, especially as their section of the state had heretofore never honored the office with one of its sons. After discussing the matter with other political friends, Senator Davis finally concluded to enter the race. Again we see how slender the threads by which his future career was held hanging in the balance, for had Mr. Reid entered the race, the political history of this state would have been written along other lines and directed into other channels.

The candidates before the Democratic primary were:

Prof. F. M. Goar, the head of the Arkansas law school, a lawyer and teacher well known throughout the state and exceedingly popular; J. B. (Buck) Baker, later Circuit Judge of the Sixteenth district; John T. Hicks, a lawyer of Searcy, afterward attorney for the Rock Island Railway in association with George Pugh and Tom Buzbee at Little Rock; and E. P. Watson of Bentonville. The uncertainty of the future and the pranks played by destiny or fate, or whatever else it may be called, was never more forcibly exemplified than in this contest. Truth is, indeed, stranger than fiction and the least incident may alter the entire course of career of a person, a group, or a nation. Again I ask your indulgence for quoting from Senator Clarke who summed up the situation in the following language:

“In nearly every county where a convention had been held, the instructions had been given in favor of Prof. Goar, and his nomination was considered a foregone conclusion. While addressing a meeting of voters in Madison county, he suddenly fell dead, and by this sad and sudden event, the political history of Arkansas for the intervening years, has been cast on lines that could never have been dreamed of as a possibility. After the death of Prof. Goar, the tide of political favor began to turn to Senator Davis, so that when the convention assembled, he had a majority of one vote over all his competitors, and was nominated on the first ballot. It is a part of the history of that struggle, that when the tide of popular favor seemed to be running so strongly in the direction of Prof. Goar, Senator Davis, realizing his probable defeat, had begun to mature his plans to transfer his residence to the State of Oklahoma. But all this changed by the death of Prof. Goar and his election to the office of Attorney General.

From that time forward began a long career, as spectacular and turbulent as that of any man who ever sought public office and political control during a period of peace and in a civilized commonwealth."

In those days we did not have what is known as a general or blanket primary for the selection of candidates. Each county selected its delegates to the state convention, the method of selection being determined by each county, and wholly different days and methods were in vogue. Notwithstanding the state convention which met in 1896 instructed the State Central Committee to adopt a uniform day and method for each county to express its preference for state officers, the counties refused to abide by the mandate of the supreme political power in the party, and proceeded to express their preference on such days and in such manner as those who were in control of the county machinery might elect. In many instances, their action was governed by local considerations. For instance, if the county and state primary was being held on the same day, county candidates' hands were tied insofar as their preference for state officials was concerned, for they were told to look after their own matters and keep hands off the others. On the other hand, each county wanted a large vote brought out, which could not be done with a split primary, so some refused to split. Then again, some counties wanted their county races settled quickly and out of the way where they had preference for state candidates. Other counties still held on to the township or precinct meetings to select delegates to a county convention, which in turn expressed the preference of the county for certain candidates. The uniform day and method rule was honored only in the breach. The convention, however, adopted one rule which could not be ignored, that

is, that a candidate for nomination for a state office must receive a majority of all the votes cast, otherwise the majority of the convention had the right to nominate.

After Senator Davis announced his candidacy, he suffered a slight stroke of paralysis in his left side and arm which made it exceedingly difficult for him to make the campaign, but he had announced in the press that he intended opening his campaign at Eureka Springs and he managed to get there. A large crowd had assembled to hear him. By reason of his physical condition he was unable to deliver his speech in his vigorous manner, and after asking the indulgence of his audience, he read his speech while seated, and afterward had the same published in full in *The Gazette*. All the indications seemed to point to the nomination of Goar, as has been said, and he had many enthusiastic workers and supporters all over the state recruited from those whom he had graduated from his law school. This was evidenced by the fact that the first four counties to hold their primaries were Stone, Lincoln, Howard and Madison. Howard was the first county to hold its primary and Goar received 569 votes more than all his opponents. These were small counties, however, and the total vote of the four was as follows: Goar, 1,165; Davis, 700; Baker, 603; Hicks, 22; Watson, 62.

It was at this time that Senator Davis, realizing the trend of the election, conscious of the fact that these counties were indicative of the way the state would go, began to arrange his plans to move to Oklahoma to engage there in the practice of law.

He continued to make his plans until the hand of fate again interposed, and again was the history of Arkansas to be written along different lines than that to which current conditions then unmistakably pointed. While deliver-

ing an address on April 7, 1898, in behalf of his candidacy for Attorney General, Judge Goar expired as a result of a stroke of apoplexy, and with his death the entire trend of the contest changed. Senator Davis threw himself into the campaign with as much vigor and earnestness as his physical condition would permit, and his friends began to fight with more confidence, with the result that when the official returns were finally sent in, it was found that Davis had carried the following counties: Arkansas, Bradley, Calhoun, Carroll, Clark, Cleburne, Conway, Crawford, Dallas, Desha, Drew, Grant, Hempstead, Hot Spring, Howard, Independence, Jefferson, Johnson, Lincoln, Little River, Logan, Madison, Mississippi, Montgomery, Nevada, Ouachita, Perry, Pike, Polk, Pope, Saline, Scott, Sebastian, Sevier, Union, Washington and Yell.

These counties gave Davis a total of 30,029 votes, Baker 17,513, Hicks 14,672, Watson 8,093. However, as Davis did not receive a majority of all the votes cast, it was left to the convention. This did not necessarily mean that Davis would be successful, because many candidates had gotten into the convention with far more votes than the ones nearest them with the result that all the other candidates would combine against the leader and defeat him, as was done in the memorable contest when the late Judge Simon P. Hughes was defeated for nomination for Governor and James P. Eagle selected. This seemed to be a popular form of political indoor sports indulged in by the delegates to the state convention without reference to its effect upon the defeated candidate.

In this case, however, while Jeff Davis received only a plurality of the popular vote in the primary, the delegated vote of the counties which he carried gave him 229 out of the total vote of 455, leaving the combined delegated

vote against him as follows: Hicks, 102; Baker, 104; Watson, 20; a total of 226 votes. Therefore, he received a majority of the delegated votes on the first ballot and thus obviated the danger of a contest in the convention. He was placed in nomination before this convention by Colonel George W. Murphy, one of the ablest and most beloved lawyers of Arkansas, who paid a glowing tribute to Davis, in speaking of his splendid achievements since his entrance into the political arena. It is a coincidence that in after years Senator Davis and Colonel Murphy became bitter enemies, and Colonel Murphy led the attack that culminated in the impeachment proceedings to which reference will hereafter be made.

This antagonism continued until after Senator Davis was elected United States Senator, when he extended the olive branch to Colonel Murphy, urging him to forget the past and become good friends again, which overture, Colonel Murphy in his sweet and endearing way, and desire for peace, accepted.

During this campaign I became associated with Senator Davis in a political capacity. I was living at that time in Morrilton, the county seat of Conway county, which adjoins Pope county, in which the Senator resided. While our personal acquaintance began some years prior to this time, our intimate relationship dates from the year 1898, from which period I became intimately and daily associated with him for ten years, serving as his assistant in the Attorney General's office in 1899 and 1900, as his private secretary in the Governor's office from 1901 to 1907, and was then associated with him in the practice of law in 1907-8 after his election to the Senate. He assumed the duties of the office of Attorney General in the

early part of January, 1899, and from that time on, there was to be a radical change in the political history of Arkansas.

The contest he made for the office of Attorney General pales into insignificance when one considers the character of the subsequent campaigns made by him, and the circumstances under which they were made. If Senator Davis became a popular idol with the masses of the people of Arkansas, he paid a price for his popularity that none other, either before or since, has been willing to pay. The most of us are prone to move along the lines of least resistance when it comes to our comforts. We have never been able as yet, to convert our political hardships into sources of real pleasure. We had much rather look after our daily comforts and trust to fortune, luck or chance as the case may be, or to our friends to boost our political game. In fact, every candidate depends in the main upon his friends, or, as it is termed in political parlance, his organization. Jeff Davis was not that type of politician. He had no organization to rely upon nor seemed to want one. While it is true that he loved his family, his home and its attendant comforts, the birds and the little wee voices all whispered into his ear, that, like the old darky who prayed consistently for the Lord to send him some chickens and his prayer remaining unanswered, he prayed to the Lord to send him after the chickens, and was successful. Davis realized the prayers he could most successfully count on were those that urged him to go after the votes on his own initiative and not depend on others to secure them for him.

He seemed to care little for the condition of the weather or the impassability of the roads, or the difficulty in reaching his appointments, most of them being in the remote

parts of the state, and off the railroad lines. In arranging his appointments, he persistently enjoined upon me to fix them in the country and away from the larger towns. We therefore find him in the mountains of northwest Arkansas, far off the railroad, driving day and night, with icy winds chilling him to the bone, and the sleet and snow beating upon his face. At times he was compelled to speak at 10 o'clock in the morning at one point, then drive in an iron-rimmed buggy all day in order to reach the next speaking engagement in the evening, leaving again at the break of the following day for his next appointment, driving all that day, and so on, day after day, in rain or snow with but very poor hotel accommodations and at points where he could not possibly speak to more than forty or fifty people at a time. At other times we find him in the swamps fighting along the same way.

To any man except Jeff Davis, a little of this kind of campaigning would have gone a long way, but the icy blasts could not cool the warmth of his enthusiasm. To him it was a labor of love. He was on his native heath, fighting with weapons of his own selection. His ammunition consisted of "the horny-handed, sun-burned sons of toil," "the one-gallus brigade," the "red-necks," "the boys who lived up the forks of the creek," and with this ammunition he had no difficulty in conquering his enemies. He constantly impressed upon me in fixing his itinerary to cover just as much territory as was possible within a given period of time, even to the extent of speaking as many as four or five times a day. Then is it any wonder that, enduring the hardships he did, in order to reach the people, he should become their idol? He used to tell them the trouble and difficulty he had in order to reach them, that his opponents, they of the silk-stocking brigade,

the high-brows, would not come to the people, would not try to reach them in person, because they did not love the masses as he did; that he was one of them, that he had rather be sitting around with them and talking to them, than to be seated at banquets with the highbrows or in the palaces of the great.

They believed him and took him at his word. Was he not there and was he not their protector, and was he not one of them? Prior to that time it was customary for candidates for office to visit the county seat, meet the prominent politicians, communicate to them their ambitions and depend upon them to do the rest. But Davis, realizing he had an unfriendly press to contend with, seemed to understand that the only way to remove from the minds of the people whatever prejudice might have been engendered by reason of their daily antagonism, resolved to speak in every hamlet of the state, where an audience could be secured.

This he kept up for weeks at a time and went night after night without seeming to take rest. It is doubtful if another man in the state could have held his own with him in this respect. He had two advantages, however; one was a strong and vigorous frame, the other his ability to sleep under any and all circumstances. I recall very vividly that after speaking on one occasion at Walnut Ridge we drove over to Hoxie to catch a train out of there some time between 12 and 2 o'clock in the morning. On the platform stood a baggage truck, the bed of which was made of latticed iron. Senator Davis curled up on the truck and in a moment was fast asleep and did not awaken until I roused him as the train approached. Then as soon as the conductor had performed his duty, Senator Davis immediately stretched out in the seat and went to

sleep and remained so until I aroused him at Little Rock. Even when time hung heavily in his office, he would lie down on a couch and immediately fall asleep, and I attribute a great deal of the conservation of his strength to this happy faculty. I know there was not a county in the state that he had not at some time or other actively and vigorously campaigned and it is not to be marveled that there were more people in Arkansas who knew him personally than they did any other man, for the circle of his acquaintance was bounded only by the boundaries of the state.

Jeff Davis has always been regarded either as a lucky man, a fortunate man, or one who had the happy faculty of being able to do the right thing at the right time, or one who was always successful in taking advantage of a circumstance or opportunity when either presented itself. It is said that the manner in which he always took advantage of a situation was remarkable. I agree with all these theories, or disagree with them, and yet justify myself by the actual facts. Davis in a great many instances created the opportunity and those who might think that he acted hastily, but successfully are far from right. He seldom acted upon an impulse, but always after premeditation and careful deliberation. For hours he would sit in his revolving chair in the Governor's office and stare into vacancy, never uttering a word, and as I watched him I was oftentimes reminded of the pictures of Napoleon on the Isle of St. Helena, as he stood gazing out upon the open sea.

It was during these hours that Davis planned his future actions, carefully and unerringly, so that they would seem to others to be fortuitous circumstances or opportunities taken advantage of; but they were the result of carefully worked out plans in which all the angles and

details had been intelligently considered. There were times when he missed his calculation, but these did not occur until he had so thoroughly ingratiated himself with the masses, as to absolutely convince them of the sincerity of his affection for them so that whatever his mistakes may have been, he successfully turned them to his advantage. They devoutly believed Davis was being persecuted because he was their friend and was standing between them and those who were unfriendly to them, hence anything he did or said was accepted by them as being for their good.

About his person as well as his office there was an air of apparent democracy. It had constantly been his boast that the farmer and the working man were the most welcome visitors at his office and no card was necessary to enter. It was a study in psychology to watch one of the old hill-billies in his hickory shirt and boots walk into the Governor's office and to watch the smile of exultation pass over his face as Governor Davis approached him with his right hand outstretched, and after he had gingerly seated himself, his eyes feasted upon the Governor. I have seen this occur so often that it became commonplace. It is my honest conviction that Davis seemed to be absolutely sincere in the gratification he expressed at being able to greet the boys in his office and listen to what they had to say.

CHAPTER VIII.

THE ORIGIN OF THE ANTI-TRUST FIGHT.

It is a popular fallacy to suppose that the office of Attorney General is a stepping stone to that of Governor, the goal of all ambitious citizens who enter politics.

Since the creation of the office of Attorney General in 1843, but three of its incumbents had been elected Governor, to-wit: Simon P. Hughes, James P. Clarke and Dan W. Jones.

The office, so far as the public knows, is rather negative, the duties being confined to the preparation of briefs in the Supreme Court and the giving of opinions. However, in the year 1900, the state was engaged in an exceedingly doubtful economy, by a more questionable expedient, of requiring its officers to make up the personnel of a great many different kinds of boards. The Attorney General was a member of various boards, the principal one being that of the penitentiary, composed of the Governor, Attorney General, Secretary of State, Auditor and Commissioner of Mines, Manufactures and Agriculture.

Unquestionably, Jeff Davis had his eye fixed upon the Governor's office, but he never permitted himself to give expression to that thought nor how he expected to attain it. I am sure he himself had no idea nor even any tentative plan nor method of procedure. He was rather like a ship at sea without a rudder, dependent wholly upon the caprice of the winds whether he should be blown into some friendly port or out on its trackless bosom.

Up to this time the conduct of the affairs of the state

had been managed along stereotyped lines. Legislatures met, passed the usual routine bills and adjourned; state boards met, perfunctorily went through their routine matter, the only departure being the activity in the Governor's office during the year 1898, incident to the Spanish-American War. The state had no special problems. While the Attorney General's office was briefing cases, the Governor's office was issuing pardons and signing commissions and entertaining visitors, and it looked very much like shelving a man politically to invest him with that office. In other words, there was no "pep" nor "kick," no punch in the office or in the administration of its affairs. The new century, however, inaugurated a new era along many lines. As new problems arose in the industrial and commercial world, new political problems necessarily came to the front.

Chief among these was the anti-trust problem. On March 6, 1899, shortly after Davis had been inducted into the Attorney General's office, the legislature, being then in session, passed what is known as the Rector Anti-Trust law, which provided that persons or corporations having any agreement to control prices could not do business in Arkansas.

During his incumbency in the Governor's office, Davis frequently remarked to me, that the public was not interested in men, but in issues, and no man could make a successful campaign unless he had a popular issue behind his race. He said that if it were not for the free silver issue there would have been no William Jennings Bryan, and he cited other instances where political reputations were achieved by riding some popular hobby. However, Bryan's rise to national fame on the silver question opened his eyes to the possibilities of prominently

getting into the public spot-light on some issue, even if that issue had to be forced.

The legislature of 1899 made further history and further furnished Davis with a vehicle for riding into public favor, when, on April 17, 1899, it passed an act providing for the erection of a new state capitol building on the site of the then penitentiary, empowering the Governor to appoint a commission of six in addition to himself and authorizing the penitentiary board to purchase a new site for the penitentiary and providing for the vacation of the location upon which the new capitol was to be constructed. The result of the passage of both of these acts was not only to make history for the state, but to place in Davis' hands, methods of transportation by which he was to ride into the highest office within the gift of the people of Arkansas, through a series of political successes.

The Rector Anti-Trust law provided that any person, firm or corporation who was a member of any pool, trust, agreement, etc., with any other person, etc., to fix the price on any article, or premium to be paid for insurance, would be committing an offense, and provided penalty therefor. Attorney General Davis was asked to construe this act with reference to whether it was extra-territorial or not, and he replied that he would hold that if a company was organized to fix prices anywhere in the world and without any special reference to fixing them in Arkansas, it would be violating the act. I have not the least doubt but that it was the original intention of the legislature to prohibit agreements for fixing prices where the agreement was to be effective in this state, because an insurance company might be a member of a rating bureau in New York to fix the price or

premiums to be paid for insurance in that state, and be wholly independent in its operation in Arkansas. But Davis insisted that he would construe the act so as to bar any company from doing business in this state which was a member of any pool or trust for the purpose of fixing the price of any commodity anywhere. On March 25, 1899, he gave out a public interview defining his position as just outlined and immediately things began to hum. People began to get busy and the machinery was started in motion that was ultimately to land him in the United States Senate.

On March 26th the Board of Trade at Little Rock called a general meeting for the purpose of discussing the situation and at the same time passed resolutions memorializing the Legislature to amend the law so that fire insurance companies might be permitted to continue to do business in Arkansas provided they were not members of any combination to fix rates in this state. In compliance with this request, a bill was prepared along these lines and on March 31st introduced into the House, and immediately tabled by a vote of forty-eight to thirty-one. Governor Dan W. Jones was petitioned to use his influence to secure the passage of a bill curing the construction placed upon the act by the Attorney General. Immediately after this was done, Attorney General Davis brought one hundred and twenty-six test suits against fire insurance companies in the Pulaski Circuit Court, and he gave out another interview saying that the law should not be changed and that the suits were brought in good faith. Immediately thereafter the companies began to withdraw from the state and at the same time cancel their outstanding policies. Realizing the impossibility of carrying on business without fire protection, that being the basis of credit,

the business men began to call on their commercial organizations with the result that the commercial leagues and Boards of Commerce all over the state began to memorialize the Legislature to grant them relief and the press began to receive telegrams and petitions from their subscribers urging them to do so. The newspapers began to comment editorially on the consequence of the construction of the act placed upon it by the Attorney General. No relief appearing, a general meeting of the business men of Arkansas was called to assemble in Little Rock on April 12th to consider the situation and a half rate was announced by the railroads. The municipal bodies of the various towns and cities also resolved against it. To make defiance further defiant, Attorney General Davis on April 11th sued the express companies, also tobacco and cotton oil companies.

The big meeting took place at 2:30 p. m. at the old Glenwood Park, on Seventeenth and Main streets, and there assembled business men from all over the state. When the meeting was called to order more than a thousand from out of the city were present. The convention was addressed by Senator George Sengel of Fort Smith, Hon. John W. Blackwood of Little Rock, Joe M. Stayton of Newport, and W. E. Atkinson of Little Rock. Senator Creed Caldwell of Pine Bluff and U. S. Senator J. P. Clarke were in the audience as interested spectators. A great many members of the legislature were present also, and began to call on Davis to address the meeting. He did so, saying that he was speaking for the members of the General Assembly, and after defending his construction of the act, told the members present that the law was a good one and that they were brave and true men and called upon them to "stand by their guns."

We might here digress for a moment, and say that the members of the General Assembly afterward, in token of their appreciation of his defense of their action, presented him with a gold-headed walking cane inscribed with the words, "Stand by Your Guns." This cane became memorable in his subsequent campaigns by being used as an offensive and defensive weapon. He was liberally cheered and equally hissed.

Senator Clarke was also called on to address the meeting. Attorney General Davis thereupon requested the Legislature to assist him in defending the statute, and on May 8th, 1899, an act was passed appropriating five thousand dollars to enable him to employ counsel to that end, and also to pay costs.

It is needless to say that during this time, his action began to be featured in the daily and country press, not only of this state, but of the entire country. The metropolitan press took it up, and in a few short hours it became known all over the country that Jeff Davis was Attorney General of Arkansas. The possibilities of the publicity involved in this matter unfolded itself to him and perhaps gave him a glimpse into the future. On April 22 we argued the case on the companies' demurrer to his suits, the hearing being before Judge Jos. W. Martin. Davis caused his argument to be stenographically reported and then published it in full in *The Gazette*, of April 23, 1899.

Among other things he said of opposing counsel: "I wondered when I saw those tears fall how much cash was paid per tear. When he speaks about martyrs, I call attention that blood doth not come from gigantic insurance companies, but that martyrs and the blood of martyrs never stained the judicial ermine of this or any other country where gigantic corporations were concerned."

He then challenged counsel to go upon the hustings and fight the matter out before the people.

His argument occupied nearly three entire pages of the *Sunday Gazette* of April 23, and in this he sounded the keynote for his future political campaign and at a time when no one paid any serious attention to it or little dreamed that he would ever be heard from again. The demurrer was sustained and he took an appeal to the Supreme Court, but on April 28 filed additional suits. The case was advanced and on May 28 the Supreme Court decided against his construction, holding that the act was not susceptible to an extra-territorial construction, whereupon, he gave out an interview saying that he would dismiss all the pending cases and would positively refuse to prosecute another trust "even if it formed in the statehouse yard with a brass band"; that the Supreme Court was wrong in its decision and that he proposed at the proper time and place to criticize it just as he would any other decision.

It is a remarkable tribute to his political sagacity and his ability to bring victory out of defeat to say that he capitalized this reversal by convincing the masses that the Supreme Court was wrong and that he was right, and he successfully met on the stump all comers who undertook to attack him on his defeat before the court.

It was the first crowning incident of his career, out of a series of incidents that afterward arose wherein he capitalized his defeats and his errors and turned them into advantage.

Here let it not be said that he did this by the power he held over the people, for at that time he held no power over them, but it is all the more remarkable when we consider that this power was gained by utilizing his defeats and convincing the people that he was right and

others were wrong. A false impression has gained currency, that Senator Davis rose by destructive methods, by tearing down. This is not true. He realized that he would have to transport his heavy artillery and with scientific precision he proceeded first to construct the roads over which the artillery would pass. On the 20th day of September, 1899, an anti-trust conference of the governors and attorneys general was held in St. Louis. Attorney General Davis attended the meeting. There were twelve governors and twelve attorneys general present. Davis introduced a resolution that it be the sense of the conference that each state pass laws providing that a corporation which was a member of a pool or trust in that state or elsewhere could not do business in that state. The resolution was adopted, leaving him in position to justify himself before the people of the state after his unsuccessful litigation in the courts. He afterward attended an anti-trust convention in Chicago, where he was splendidly received and favorably commented on by the press of that city, which stated that "the address of Attorney General Jeff Davis of Arkansas was frequently applauded." At the St. Louis meeting Governor Jones also attended as a delegate, but as he and Davis were not on speaking terms, they stopped at different hotels and carefully avoided each other.

CHAPTER IX.

THE ORIGIN OF THE STATE CAPITOL FIGHT.

Senator Kimball of Garland county introduced into the Senate a bill providing for the erection of a new state capitol building, which on March 20, 1899, passed the Senate by a vote of 19-8 and on April 14th passed the House by a vote of 48-35. The Attorney General at once took the position that the bill did not receive the constitutional two-thirds majority, as it carried an appropriation, and was therefore void. He accordingly gave an official opinion to that effect to Governor Jones, who ignored it and promptly signed the bill.

This precipitated another contest that afterward figured materially in the political campaigns made by Senator Davis.

Governor Jones at once appointed on the commission, T. L. Herrn, Chas. G. Newman, H. H. Carrigan, Geo. W. Donaghey, J. C. South and A. F. Vandeventer. As South, Vandeventer and Herrn were members of the Legislature which passed the bill, they were rejected, whereupon the Governor appointed in their stead, Geo. W. Murphy, J. M. Levesque and R. M. Hancock.

On May 17th, Davis brought a *quo warranto* to oust the state capitol commission, and in an interview stated that he had no objections *per se* to the erection of a new statehouse if it could be done without having to increase taxation, as the people were already sufficiently burdened with taxes. Losing that suit, on June 8th he brought another in the Pulaski Chancery Court to restrain the commissioners from tearing down the old penitentiary build-

ings, on the ground that the Act was void. He again lost, appealed to the Supreme Court, where the constitutionality of the law was sustained on the theory that the erection of a new state capitol building was a necessary expense of the state government, having already been provided for by a joint resolution, and therefore required only a majority vote as any other appropriation for the necessary governmental expense.

Again did Davis capitalize his defeat before the Supreme Court in his first campaign for Governor, and in his subsequent campaigns.

As the erection of the new state capitol building will figure to some extent in this and future chapters, and as it is a material part of the history of the state, we will briefly outline just what the plan was.

The Act provided for six commissioners who, with the Governor, composed the commission. They were to receive five dollars a day. They were to purchase a set of plans and specifications for a building not to exceed in cost \$1,000,000. After the plans, specifications and detail drawings were completed, the board was authorized to acquire a suitable tract of land upon which to manufacture brick, also to acquire a granite quarry. Thereupon, the penitentiary board was instructed to furnish the commission with convicts up to two hundred in number. Fifty thousand dollars was appropriated out of any moneys which might arise from the sale of public lands belonging to the state, for two years, commencing April 1, 1899, and all fees paid the land commissioner, and also the net proceeds of the labor of the state convicts during that period. School lands were excepted. The new statehouse was to be located on the then penitentiary grounds and the penitentiary commission was invested with authority to

procure new grounds and erect new buildings for that institution.

In his first campaign for Governor, Senator Davis entered into a general attack upon the method by which the new state capitol building was to be constructed, condemned the purchase of the present site of the penitentiary and told the people that when the old statehouse was abandoned it would revert to the Ashley heirs. His prediction that "the plan involved the biggest steal that was ever intended to be perpetrated upon the people of Arkansas," while not justified in fact, was hedged about so that he could assume either of three positions:

(a) If it should afterward develop that dishonest methods were adopted in constructing the building, he could say, "I told you so," and that he had warned the people in ample time against it.

(b) If there was no graft, he could say that what he meant was that the plan to destroy the penitentiary buildings and erect new ones, simply to furnish a site, was criminal waste and equivalent to stealing.

(c) That there would have been graft if he had not in the beginning warned the people against it, and by directing public attention to the project, made them afraid to indulge in it.

Either route would be popular before the people and this he realized. However, no one will deny that the plan adopted was not the best business method.

On the other hand it would have been criminal to have destroyed the historic old statehouse, and worse even than this to attempt to construct a beautiful modern capitol building in the very heart of the city, without sufficient space, and surrounded by a purely commercial physical environment. Senator Davis' attack on the statehouse did

not delay the work a day, nor cause a single change in the plans and accomplished nothing except to permit him to capitalize his opposition and coin it into votes and thus again popularize himself on an issue upon which he did not make good and on which he was wrong.

Whether or not we agree with Jeff Davis that the method pursued in his state capitol attack was with or without merit, it served to place him on record as being opposed to the plan which in the light of present day events was undoubtedly an unbusinesslike procedure, so that when he became Governor, it was incumbent upon him to devise one more businesslike. This was accomplished when, on April 29, 1901, he approved an Act providing for the completion of a building not to exceed a million dollars in cost, to be constructed upon competitive bids. A million dollars was appropriated in the act to pay for the building, this sum to be raised by a tax of one-half of one mill on each dollar of taxable property in the state.

In a succeeding chapter involving his administration as Governor during his first term from January 18, 1901, to 1903, we will discuss this Act more fully.

CHAPTER X.

HIS FIRST CONTEST FOR GOVERNOR.

Jeff Davis was inducted into the office of Attorney General January 18, 1899, and before six months had elapsed he had carved for himself an issue upon which to make his campaign for governor, and at the same time, he inherited the state capitol issue, which he intended to harness with his Anti-Trust issue and drive them through the campaign for the higher office.

In normal times and under normal conditions, a sufficient and complete answer would lie in the fact that the highest court in the state had decided both issues against him. But here his peculiar genius for turning defeat into victory began to assert itself. He inaugurated a new system of appealing from the courts to the people, by making them the arbiters of his controversies, by empaneling them as jurors to try the issues. If it be said that he was a creature of circumstances, the answer is that he created them. The rank and file of the people at this time knew little about him, but they were to become more intimately acquainted as time progressed. It is not my purpose to analyze motives, but to record facts as they actually occurred, and let the reader judge for himself the ingenious methods adopted by him. He began to address personal communications to members of the legislature, saying he had not intended to enter into the contest for governor; that when he announced for Attorney General he told the people he wanted to hold the office for only one term, and then desired to go back to Russellville, where he could be with his family, return

to his practice and live the simple life; but since he had been made the subject of scurrilous attacks by the subsidized press of Little Rock, he was forced to take the defensive not only for himself, but for the "late lamented legislature," as the press termed it. Therefore, in order to defend them as well as himself, he against his will, had decided to enter the race for Governor. On July 4, 1899, he delivered an address at Hardy, in Sharp county, before a crowd of three thousand people, in which he sounded the key note of his campaign, making here his first characteristic address. He entered into a defense of the legislature with reference to its action in refusing to amend the anti-trust law, denounced the erection of the new state capitol building, criticized the Supreme Court for not sustaining his contentions, and then asked the audience if he looked like a maniac, or if he looked like he was drunk, stating that the newspapers had accused him of both; that they had further stated they would make his name infamous in Arkansas. He said he was going to appeal from the courts to the people, saying: "Let us seek redress at the ballot box." He stated that he intended to canvass all seventy-five counties in the State and to tell the people the truth about the issues and that "they would not be able to see him for the dust." He made his cause their cause, and urged them to protect themselves by electing him Governor, whereupon he would remedy these conditions.

He stated that he was sincere in desiring to retire after his one term as Attorney General, and that he would rather die than break that pledge, but under present conditions there was no other honorable course left open to him except to fight the battles of the people. He avowed him-

self their champion, appointed himself their leader and then urged them to follow him.

Realizing the press and certain business interests would oppose him for the same reason, that, fearful if he were elected Governor, he would pursue the same course he did as Attorney General, he sought to minimize their attack by referring to them as "high-collared roosters" and "silk-stockinged brigade," and referred to the editors as "squirrel heads who could not buy on credit five cents' worth of beef steak in the town in which they lived, and yet undertook to tell the people how to vote."

The press promptly announced editorially that it had never made any attack of any kind on him nor criticized him, but on the contrary believed that he was conscientiously trying to do his duty as Attorney General. This did not satisfy him. On July 13, 1899, he delivered another address in Conway, which was published in full in *The Gazette* of July 16th, in which he repeated the statements made in his Hardy speech. He had a large crowd, and during the course of his address asked permission to unbutton his collar, saying that it had been judicially determined by the Supreme Court of Arkansas that he could not take off his coat. This had reference to the time he argued the construction of the anti-trust law before the Supreme Court and during the course of the argument requested permission to remove his coat, which permission naturally was refused, as not comporting with the dignity of the highest judicial tribunal in the state.

In his Conway speech, he departed from the well-beaten paths of stump oratory and inaugurated a new peculiarly Jeff Davis type of oratory and method of campaigning. He alleged that by reason of his defense of the people he was being persecuted by the gang at Little

Rock. He stated that the Gleason hotel had raised his board from \$25.00 to \$50.00 a month in order to force him out; that the long distance telephone management had refused him service, and that he intended to put a bed in his office and install a cooking stove there and do his own cooking before he would permit them to bulldoze him out of town. He also charged that the German National Bank had refused to cash his check, and all that on account of his attitude on the anti-trust law.

Shortly before this, Senator J. E. Wood of Marianna, challenged him to a debate, the details of which will be metnioned in a subsequent chapter. On July 22nd Davis answered him by saying when the campaign opened he would be glad to meet him, that he was only speaking then at places where he was specially invited, whereupon several towns immediately made application for the joint debate. On August 30th, Senator Wood, in an address at Newport, severely arraigned and castigated Davis, declaring that he was a demagogue and that his speeches were filled with willful and deliberate misrepresentation. Here, if it be asked whether the attacks made upon him by Wood and others caused him any uneasiness or misgiving, let it be said as a fact, that these attacks had the same effect on him as pouring water on a duck's back. He welcomed them. He courted them. Did they not serve to center the public eye upon him? To draw the concentrated attention of all toward him and give him a weapon which he was in turn to use upon them?

Instead of these attacks dismaying him, they served only to strengthen his arm and steel his soul to combat and to conquer. Opposition had to be made of sterner stuff than this to affect him. About this time, A. F. Vandeventer, who was speaker of the House of Representatives

during the session of 1899, announced as a candidate for Governor and on September 9th they met in joint debate at Bentonville, which was the first time he had been met on the stump. The press announced that since Davis had been going up and down the state like a political lion seeking whom he might devour, it was glad that his demagogic arguments made and repeated from his Conway speech down, had been answered, and that his alleged charge of conspiracy was but a figment of his own imagination.

The State Central Committee, the chairman of which was Hon. Carroll Armstrong of Morrilton, than whom no truer, better or nobler Democrat and citizen lived, had, in response to a resolution of the State Convention, called upon the counties to adopt a uniform day for holding the primary for state officers. But, as in the past, the request was completely ignored. Four counties, Ashley, Howard, Independence and Logan, announced that they intended to hold their primary for state officers on March 10th, 1900. At this time two other candidates announced, John G. Fletcher, well known over the state and at that time president of the German National Bank of Little Rock, and Judge Edgar E. Bryant of Fort Smith, known as the silver-tongued orator of the state. In addition to publishing his Conway speech in *The Gazette*, Jeff Davis inaugurated a new system, in accordance with his publicly announced statement that he intended to reach all the people of the state. He caused his Conway speech to be printed in pamphlet form and began to flood with them the counties which had announced the day for holding their primary. The candidates invaded Ashley county, speaking there wherever an audience could be obtained. Many of Davis' friends from Pope county went into Ashley

to make personal appeals to the citizens to support him. Each of these four counties was closely campaigned by all candidates for the reason that the importance of carrying the first counties was only too obvious. It was the straw that indicated the way the wind was blowing and human nature likes to play a winner, to be on the popular side. The first joint speaking by all the candidates was at Center Point in Howard county, on February 12th, and it comes back to me now that this is the speech Davis caused to be stenographically reported and printed in pamphlet form and scattered broadcast throughout the state.

Let us briefly analyze the opening speech of his campaign for Governor at Center Point. In the first place, Center Point is a small town in the interior of the county. The audience was rural. The stage was set for him. He opened by referring to the fact that in his race for Attorney General he was paralyzed in his left side and arm and made his opening speech while seated in a chair. He then referred to the fact that Howard is a sister county to the one in which he was born, disclaimed any intention of entering into personalities, and then proceeded to pillory his opponents.

He started out with an explanation of his anti-trust fight and referred to the fact that the *Helena World* designated him as "a carrot-headed, red-faced, loud-mouthed, strong-limbed, ox-driving mountaineer lawyer and a friend to the fellow who brews 40-rod bug-juice back in the mountains." This reference was a digression, but one in which he placed himself on their plane and at fellowship with his audience—as one of them. In this speech he also followed his attack on the press, designating the editors as a lot of squirrel heads. He referred to the

Supreme Court decisions and said the law had been crucified at the very feet of the Temple of Justice and its mangled corpse left dead and helpless. He disclaimed any accusation of corruption, but said the judges were creatures of environment and the people needed a new Supreme Court, and needed it awful bad, and he hoped the people would defeat every one of them.

Notwithstanding this, he desired to appeal from their decision to the people, wanted to empanel them as a jury, to try the issues before them. Here he sounded the keynote of his future political success by appealing every issue to the people, although they understood nothing about the merits of the issues save what he told them, and then he placed the responsibility on them by saying, "if I lose Howard county it would be heralded all over the state that the people had repudiated my anti-trust doctrine." To quote his own language:

"The fight is on. It is between the trusts and the corporations, and the people. If I win this race I have got to win it from 525 insurance agents scattered all over the state. I have to win it from every railroad, every bank, two-thirds of the lawyers, and most of the big politicians. But, if I can get the plain people of the country to help me, God bless you, we will clean the thing up. Do you mean it? Are you in earnest? If so, help me; as I say, all that I am, all that I ever expect to be, I commit into your hands and your keeping, knowing that if I deserve your confidence, I will receive it. If I do not merit it, you will withhold it."

He urged the people of Howard county not to stand in their own light and sacrifice themselves for the money barons, but to repudiate them by electing him Governor.

He deliberately and premeditatively drew upon him-

self the fire of the opposition. It will be remembered that the blanket primary was not yet in vogue. Each county was a voting unit and the candidate who received a plurality vote in the county was entitled to its delegated vote in the state convention. Under a rule adopted by the convention, where a candidate carried the county, he was entitled to its delegated vote as a matter of right. Hence the importance of getting a plurality in a county was apparent.

Jeff Davis realized the necessity and importance of arousing the personal interests and enthusiasm of the masses, the farmer and laborer. He realized that his strength must come from the rural districts and that he must arouse them to a sense of their personal interest in the campaign so as to offset any pressure that might be brought to bear on them by either the politicians or those living in the cities and towns.

He realized that previously candidates for state office contented themselves with visiting the county seat, perhaps making a speech at the courthouse, meeting the leading merchants and professional men and departing for the next town. The people living in the rural districts depended for advice upon the county officials and merchants with whom they traded, and these he knew were against him, therefore, he must reach the voters. He must make his cause their cause. The opposition at that time did not dream that he could overcome the forces arrayed against himself, but when these four counties each gave Davis a substantial plurality, and on the next day he carried Desha and Lincoln, the eyes of the public began to open.

An analysis of the vote in Lincoln county will show how effective his method of campaigning had been in the

rural districts when it is considered that at that time in this county there were no large towns. Davis received 742 votes, Bryant 118, Vandeventer 18, and Fletcher 12. On March 16th, Hot Spring county was carried by Davis and on March 17, Judge Bryant withdrew from the race. During this time Governor Jones was making a contest for U. S. Senator against Senator Berry. It will be recalled that Jones and Davis were political enemies. Evidently, Davis began to find the going rather slow and tame as to his own race, and he began to dip into the Senators' race, arraying his friends against Jones and urging them to vote for Senator Berry. To such an extent did he pursue this method that Governor Jones withdrew from the race after publishing a bitter attack upon Davis and his methods. But Jeff Davis paid no attention whatever to it. On March 20, Miller county held its primary and Davis having carried it, Mr. Fletcher withdrew, leaving Vandeventer to contest. On the 30th, Sebastian county held its primary and gave its popular vote to Vandeventer, which, by the way, was the only county in the state that Davis lost in this campaign.

On April 8th, eight more counties were carried by Davis, and on June 9th, the remaining 32 counties held their primaries, all of which he carried.

Vandeventer did not lessen for one moment the vigor of his campaign. He met Davis at all appointed places, and although he was a forceful, eloquent and interesting speaker, his words carried no weight with the rank and file of the people, who were completely swayed and carried away by the magnetism, the personality, and method of their new champion, this young man who electrified the citizenship of the state, who had departed from all known rules, regulations, customs and methods of oratory

and campaign, who came directly to them, not ashamed to carry an extra gripful of speeches and distribute them in the train, and on every depot platform, and who, both before and after his speaking, would mix and mingle with the crowd and shake hands with every one.

Jeff Davis has been charged with arraying the country people against the city, but he was simply appealing to those who were in the majority and were amenable to his method of campaigning. One of the most telling statements made by him was the following: "There is a gang down there in Little Rock that needs cleaning out and needs it awful bad. I would give ten years of my life in jail, if it were possible, to be governor of the state for two years to clean some of the things down there; I would clean that gang so clean that it would look like Red river had run through it, and that's why they are against me." The most potent appeal made to them was when he said, "The papers say nobody will vote for me except the fellow who wears patched breeches and one gallus and lives up the forks of the creek, and don't pay anything but his poll tax."

He was not in favor of giving up the old state building because he believed the state would forfeit its title if it did. He also believed it was unable financially to erect a new one, besides, he was of the opinion that under the plan adopted it would be the biggest steal ever perpetrated upon the people. He disclaimed any intention of charging the commissioners with dishonesty, but urged that under the plan adopted, there would be too much graft.

It needs but little argument to convince one that this man with his magnetic personality, his splendid physique, his earnestness and sincerity, not only impressed himself upon the masses, but the so-called classes as well. He

nominated himself their champion and standard-bearer. He drew the issues of the campaign around his own candidacy, turned the spot light of public attention upon himself and left his opponents standing in the dark just outside its focus. He criticized everything and everybody who did not agree with him and demonstrated for the first time in the history of the politics of this state, that one can be elected even to the high office of Governor, against the opposition of the press, politicians, county officials, and business men. He spoke to the rank and file in a language with which they were familiar. His written speech placed in the hands of every voter in the state was couched in terms that the most illiterate might understand.

His very first entrance in the office of Attorney General was the signal for trouble. He signed the Dickinson convict contract, then repudiated it and assailed it. He lauded the then superintendent of the penitentiary in the highest terms, then denounced him.

He fell out with the members of the penitentiary board and denounced them. He attacked the press, antagonized the business men of the state, doing all of this within a period of less than six months after he had taken the oath of office as Attorney General.

This is the man who, practically unknown in the politics of the state, assumed a handicap apparently too burdensome for any man to carry through a campaign, especially with such distinguished opponents as he had, then carried 74 out of 75 counties.

Has history ever recorded another instance of this kind? It was not a violent presumption to predict success to a man like Judge Bryant, a cultured and refined gentleman, a man of scholarly attainments, an eloquent speaker,

a pleasing personality, possessing apparently all the qualifications that would make a worthy Governor of the state. But Jeff Davis, lacking many of these attributes, saw further into the future than either his political opposition or his opponents. What he lacked in culture he more than made up in a keen knowledge of human nature, and a stock of intuition. He linked his destiny with that of the common people and up to the time of his death, kept that friendship inviolate.

No one dreamed even then that a new champion had entered the lists and thrown down the gauge of battle. He had demonstrated his superiority on the hustings, but he had yet to give evidence of any of the qualifications of statesmanship or leadership.

CHAPTER XI.

THE STATE CONVENTION.

When the state convention met to declare the result of the various contests for the state offices, Davis was placed in nomination for Governor by his close friend and associate, Judge J. V. Bourland, who until the time of the death of the Senator, was one of his most intimate friends and confidential advisers.

Edgar E. Bryant, one of his opponents, moved to make the nomination unanimous, which carried, and the nominee, in answer to enthusiastic demands, addressed the convention.

He said among other things that he did not flatter himself that his selection as the standard-bearer of the state Democracy was a personal endorsement, but rather an endorsement of the principles for which he stood; that while he knew the nomination was equivalent to an election, he invited the opposition to groom their best candidate, whom he said he would meet and vanquish at the polls. He said that while all ills of mankind could not be remedied by laws alone, however, laws could be so framed as to be just alike to all people. As the chief executive of the state, he declared it would be his aim to treat fairly both capital and labor. To him Arkansas was the proudest state in the Sisterhood. Upon her bosom in the dark days of carnage he first saw the light of day, and in her warm, loving embrace he hoped to sink to rest; therefore, no act of his should retard her onward march along the lines of development and greatness.

Before taking up the administration of the affairs of

the Governor's office during the first two years of its administration by Governor Davis, a brief reference shall be made to his campaign after securing the nomination. Notwithstanding his overwhelming victory in the Democratic primary and his popularity before the people, he left behind him a decided sting and enmity in the hearts of the business men, whom he had so severely arraigned, and press, so that the Republicans began to flatter themselves with the belief that if they should put into the field in opposition to him, a strong, well known business man, the great dream of their life's political ambition, to-wit: The election of a Republican Governor for the state of Arkansas, might be accomplished. They cast about to find such a man and finally selected as their standard-bearer, H. L. Remmel, who was the state representative of the New York Mutual Life Insurance Company, a banker and a Federal official who stood high in the councils of the Republican party both national and state, an orator, fluent and forcible, enjoying somewhat of a reputation as a stump speaker. Mr. Remmel entered into the campaign with a great deal of confidence and more or less contempt for the ability of his opponent. Let it be remembered that at this time the public still considered that his meteoric rise from an unknown young lawyer of Russellville to the governorship of the state was a "flash in the pan." He was still considered a "rookie" in the big political league, who had yet to show his mettle in fast company. But when he got through with Mr. Remmel in this campaign, the Republican nominee was thoroughly satisfied that he had about as much chance of handling Davis on the stump as he would have in "tackling a hyena in a cage." By some means or other Davis got possession of a telegram which Mr. McCurdy, president of the New York Mutual

Life Insurance Company, had sent to Mr. Remmel, in which he said that he not only granted Mr. Remmel permission to run for Governor, but urged him to run. Jeff Davis used this telegram to ground his fight on Mr. Remmel and on every stump from which they spoke he accused this insurance company of trying to control the politics of Arkansas, or that Mr. Remmel was not in the race to win, but simply to advertise the company, and was using his candidacy for publicity purposes alone.

He took all the force out of the issues presented by Mr. Remmel by ridiculing him and his candidacy with the result that when the election was held September 3, 1900, Davis received 88,637 votes and Remmel 40,701. Then the public awakened to the fact that in Jeff Davis there had appeared a man who was able to take care of himself under any and all conditions regardless of opposition or opponents. He took the oath of office and delivered his message to the General Assembly on the 18th day of January, 1901.

In order to understand the situation as it existed at that time, let us recall the fact that in this campaign Jeff Davis insisted that he could accomplish nothing unless he had the so-called cabinet in sympathy with his views. As penitentiary affairs was the big, vital point at that time, he urged the people to elect state officers who were to be members of the board, who were personally friendly toward him, and the people responded by electing Colonel Geo. W. Murphy, Attorney General; J. W. Crockett, Secretary of State; Colonel T. C. Monroe, Auditor, and Frank Hill, Commissioner of Mines for his second term, this making a board, every man of whom at that time was friendly toward the new Governor and his administration.

That the reader may understand this situation let it

be remembered in those days the various state boards were made up of state officers, each officer being a member of one or more boards. The board having in charge the penitentiary, was composed of the Governor, Secretary of State, Attorney General, Auditor and Commissioner of Mines, and due to an anomolous political exigency, the Auditor, a purely clerical officer, was chairman of the board although the political responsibility for the proper conduct and management of the institution rested upon the Governor alone, as the chief executive of the state.

No one could foresee the complications that did later arise out of this condition, which ultimately caused the abolition of all such boards, for which was substituted commissioners, appointed by the Governor. We will speak of these complications in subsequent chapters as they were to some extent the direct cause of a complete change in the political control of the state.

CHAPTER XII.

HIS FIRST LEGISLATURE AS GOVERNOR.

On account of the differences between out-going Governor Jones and the in-coming Davis, the usual ceremony by which the one escorted the other and delivered the office to him was conspicuously and noticeably missing.

Governor Jones in his farewell message, in discussing the statehouse matter, recommended that the commission appointed by him be continued in office until the building of the statehouse was completed, and that a tax of three-quarters of a mill be levied annually to be expended on the building until its completion.

After delivering this message and then retiring, the incoming state officers assembling in the Attorney General's office, were conducted to the House of Representatives, where they were sworn in and the new Governor delivered his inaugural address.

He first touched upon the anti-trust question and urged the Legislature to at once pass a bill so amending it that an organization which was a member of any combination to fix prices anywhere could not do business in the State of Arkansas.

This was the predominant or paramount issue upon which he had grounded his campaign. He then urged the passage of a fellow servants' bill; a bill to abolish the suicide clause in life insurance policies; the enlargement of accommodations in the charitable institutions, and an increase in Confederate pensions. He earnestly recommended amending the state capitol bill by abolishing numerous clerks and other employees, dispensing with the architect and commissioners, and substituting in their

place certain state officials and empowering them to employ a superintendent under whose control the work should be done and who should contract for the work by competitive bids, as it progressed; in other words, to contract it out by piece work.

He declared for a number of other matters of more or less importance. The "paramount issue," as was said in the good old free-silver days, was the anti-trust upheaval that Davis had heaved upon the public, which he sponsored and proposed to stand by. Much has been said as to the origin of this bill, but no one knows the truth better than the writer who copied it with modifications from the Missouri law.

In the organization of the Legislature the Governor supported Judge T. H. Humphreys of Fayetteville, Washington county, now an associate justice of the Supreme Court, who was elected speaker of the House. Judge Humphreys was a man of splendid physical appearance, youthful both in appearance and reality, a brilliant speaker, a skilled debater and parliamentarian. It was the Governor's pleasure some years later, when the chancery districts were formed, to make Judge Humphreys one of the chancellors, which position he held continuously until elevated to the Supreme bench. By a remarkable coincidence, R. J. Wilson, also of Fayetteville, was elected president of the Senate, defeating no less a person than our former United States Senator, W. F. Kirby. I say coincidence for I do not recall the organization of any other Legislature where both presiding officers were selected from the same town. Both sides contained men at that time who have now risen to prominence beyond their locality, notwithstanding their service in the General Assembly.

The anti-trust bill was introduced by Senator D. L. King of Sharp county, and notwithstanding the Governor's

complete and enthusiastic support even though he made a successful issue of it before the people, the Legislature of 1901 failed to amend the anti-trust act of 1899, which the Supreme Court had construed against the contention made by the Governor. Nor was it amended by the Legislature of 1903, which met during his administration, and it was not amended in conformity with his desire, although he made three campaigns on it, until the Legislature met in 1905. On January 23 of that year he had the supreme satisfaction of signing the fruit of three arduous campaigns on the issue, an anti-trust law that made it prohibitive to be a member of a pool or combination formed either in this state or elsewhere. This act remained on the statutes practically a dead letter so far as any bona fide attempt was made to enforce it, except sporadic efforts which soon expended themselves, until the Legislature of 1911, realizing the law was accomplishing no good and conscious of the harm it was doing the state by excluding large corporations, such as the International Harvester Company, placed it in its last resting place by so emasculating its provisions as to render them harmless. Thus there was laid to rest in silence and indifference what was born in storm and strife, and it passed from the stage of political activity unmourned and unregretted.

The Legislature of 1901 provided a well regulated pension bill with a fixed tax, provided for the completion of the state capitol building, an inheritance tax law, and many other laws of more or less importance, after extending their session 51 days beyond the allotted 60-day term. Governor Davis vetoed nine bills and resolutions, including a resolution for the purchase of the Sunnyside plantation for a convict farm. It appropriated money for an exhibit at the world's fair in St. Louis, and passed a general anti-gambling act. On the whole the session was

harmonious in so far as the relation between the legislative and executive departments was concerned. As to the Capitol Commission, the Governor filled three vacancies by appointing Thomas Cox of Dardanelle, Ex-Gov. James P. Eagle of Lonoke and W. N. Norton of Forrest City, all of whom have passed away at this writing. But more of this commission later.

Nothing of any particular note occurred during this session of the Legislature that would give the least indication or intimation of the stirring events that were to shake politically the four corners of the state. The Southern League of Baseball Clubs was organized about this time with Little Rock having a berth in it and as the Governor was a rabid baseball fan it was in keeping with his pleasure to assist in inaugurating the opening celebration by participating in the ceremonies and throwing the first ball which he did on May 2, 1901, in the game between Little Rock and Memphis. In this connection it might be added that so long as Little Rock was in the league the Governor was a faithful attendant upon many of the ball games. He liked everything wherein a good scrap was to be staged whether it was a ball game, cock-fight, or what not. He was essentially a sportsman, a trait which I shall have occasion to mention in its proper place.

While surface indications at this period gave no evidence of the flames smouldering beneath the political horizon, the penitentiary management, State Capitol Commission, convict farm purchase, and anti-trust law, were pregnant with untold possibilities. These were unknown to anyone with the possible exception of the Governor, but inasmuch as at this time they had not unfolded sufficiently to rise to the dignity of potential possibilities, it is doubtful if even the Governor at that time realized the potentialities involved in issues which, under his master hand, subse-

quently developed into problems that were to shake the state from center to circumference, make and unmake officials and change the political management of the Democratic party. From the time the Legislature adjourned after the end of 111 days until the holding of the primary in the spring of 1902, when it became necessary for the Governor to make his race for a second term, business along all lines began to pick up.

CHAPTER XIII.

HIS SECOND CAMPAIGN FOR GOVERNOR.

By this time it began to dawn upon those who had heretofore exercised a dominating influence over the politics of the state, or, as it was commonly referred to, "the state machine," that a new prophet had arisen in Israel who bade fair to wrest from them the baton of leadership. A new political Sampson had sprung full panoplied from "forks of the creek," and the necessity for shearing his locks became apparent, before he should become too firmly entrenched in power, or organize a machine powerful enough to overcome theirs. There is no question but that the business interests were terrified, truly believing that Davis' further continuance in power was a menace of the deadliest sort, and business interests under his further administration would be annihilated.

This was particularly evident when, prior to the opening of the campaign for Governor, he began delivering addresses against the candidacy of Senator James K. Jones, who was running for Senator to succeed himself, having opposition in the person of the late Senator James P. Clarke. There is little or no doubt that the friends of Senator Jones helped to inspire the opposition to Governor Davis, but this was all fair in the game of politics, though the presumption is, that their interest was directed only to an attempt to silence him, in so far as his activity in the Senatorial contest was concerned. But they did not know their man and did not realize that opposition was what he was courting, that he thrived upon it, and found therein his real pleasurable recreation. Notwithstanding the Governor was offering for a second term, notwithstanding it was

a time honored custom of the Democratic party to honor an official with a second term, the opposition carefully and intelligently sought for the strongest available candidate with whom to oppose him. This choice fell upon one of Arkansas' most distinguished citizens, whose family was intimately associated and connected with the political history of the state; a distinguished son of the South, whose father was known as the war Governor of Arkansas, having served as such from November 16, 1860, to November 4, 1862. This man was the late Col. E. W. Rector of Hot Springs, a former speaker of the House of Representatives. Col. Rector, as he was familiarly known, was a man of striking personal appearance, over six feet tall, splendidly proportioned, cultured, refined and scholarly. He was the personification of courtesy and honor, a man who in his every demeanor and every act, reflected the chivalry and best traditions of the South.

These two candidates were in striking contrast with each other, as also were their methods. Both were lawyers, both able speakers, but their styles were entirely different. One represented the patrician, the other the plebeian, each proud of his following, his friends, his methods. It is a popular fallacy to believe that the opposition of Col. Rector in this contest was either tame or negligible. The facts are far from such. That Governor Davis carried 70 out of 75 counties is not indicative of the lack of spirit, progressiveness or energy that characterized the campaign between these two distinguished sons of Arkansas. The fault lay in under-estimating this political giant, this political Lochinvar who had a short time before come out of Pope county and who intended to reach the highest political rung in ambition's ladder. Col. Rector publicly announced his candidacy on January 2, 1902. Senator Jones published an article in which he castigated Davis for butting

into his contest and making a personal attack on him without any reason, as he claimed, and for no just cause.

It will again be noted that the Governor considered his own contest so tame or so easy as to pall on him, and feeling that he had to do something to keep up his energy, he thought he would again run two races at the same time, put Senator Jones out of the way, help Senator Clarke to the office and have a good time generally.

On January 12 the Governor replied to the attack, using an entire sheet of the Sunday paper of that day. In this article the Governor appeared to be in the old time form that evidenced his subsequent attacks on the opposition. Senator Jones had stated he was not interfering with the Governor's race, and Governor Davis answered that it might be true, but he was going to interfere in the Senator's race, that he did not deny causing to be issued a pamphlet containing a certified copy of certain bankruptcy proceedings in which the Senator figured. He attacked his Confederate record, whatever that was, accused him of pumping morphine into his anti-trust bill, and wound up by saying that he was for James P. Clarke, the "White Plumed Knight of Arkansas," "the Henry of Navarre of the State," whatever he meant by that.

He continued his attacks on the Senator and spoke wherever the opportunity presented, but could not induce the Senator to meet him in joint debate.

In the meantime, while this was happening, a controversy arose in Hot Springs between Prof. George B. Cook, then superintendent of schools there, and afterward State Superintendent of Education, and Col. Rector, which resulted in some acrimonious newspaper correspondence. Professor Cook charged, when a son of Col. Rector failed to graduate, that the Colonel said, "Why, demit, my children do not receive any better consideration at your hands

in the public school than do the children of common wood-haulers."

This he denied saying, asserting that he had said his children were being discriminated against because they were his children, and he accused Governor Davis of inspiring the entire matter. Whether he did or not, Davis did not fail to exploit it from every stump in Arkansas and with telling effect, however, not while they spoke jointly, for the Colonel stopped that after a short while; thereupon Davis stopped the joint appointments, and in his *ex parte* addresses used the Cook statement for his text.

On January 27 they spoke in joint debate in Lewisville. It was a raw and gusty day and bitter cold. But an immense crowd greeted them. Rector charged Davis with the use of Wizard oil. Davis replied that he had always regarded the Colonel as a brave and courageous man, one above trying to make capital out of another's affliction. Rector at once jumped to his feet saying, that if Davis wanted to contest his bravery, he could do so then and there. Davis answered that he did not want a row, that Rector had nothing to lose by such a course. No one could justly assert that the meeting was tame.

On January 29 they spoke at Hot Springs, the home of Rector. It was another cold, snowy, cheerless day. The opera house where they spoke was poorly heated, but packed to capacity. The Governor stated he was not opposed to the construction of a new capitol building, but to the methods pursued in its construction. He then launched into what became the real beginning of a long and bitter penitentiary fight. He justified the changing of the superintendent, saying the former one had been there too long; that nigger guards were placed over white convicts and cursed and domineered them; that they were

poorly fed, being given coarse pork, cabbage leaves and corn bread; that they were whipped to death and buried in shallow graves; that the insane asylum had been improperly managed and he was starting Red river through these institutions and would, if given two years more, clean them out; that he did not care whom they voted for, for Senator, as he was tired of politics and was going to get out of it soon; that when he went into office, his hair was black and now it was grey; that he hoped Senator Berry would live a thousand years and continue to hold his office until he passed away; that his anti-trust law had morphine pumped into it; that he was for James P. Clarke for Senator; that Clarke was the "white plumed knight of Arkansas." He then attacked Senator Jones' Confederate record and discussed his bankruptcy proceedings. He divided his speech, devoting about three-fourths of it to an attack on Jones and the other justifying his own record, more especially his pardons, of which, up to that time, he had granted an average of two hundred fifty a year.

The history of those contests is well known, the results better known. Both Davis and Clarke were successful. Both won by comfortable majorities. The week before the primary, Governor Davis wired his lieutenants, "Save Clarke; all hell can't beat me."

It has been frequently said that Davis elected Clarke, but let it be understood, that Davis had a method in his seeming madness. He realized his weakness in eastern Arkansas. He knew that portion of the state was governed mostly by machine politics and he further knew that Senator Clarke was the strongest man politically in that section of the state. His alliance, therefore, was planned along splendidly intelligent lines and the result speaks for itself.

Senator Clarke's friends, and they were among the leaders of that section, realized that Governor Davis was performing a political service for one who was near and dear to them, one who had grown to manhood in their midst, and they showed their appreciation by giving Davis that section practically solid. And so it develops that his support was founded on a substantial quid pro quo.

Again, he realized it would be to his interest to have Senator Clarke succeed Senator Jones when it came time for him to contest the seat occupied by Senator Berry. So two potent reasons furnished his support of Senator Clarke.

Then again, they were friends and he was an ardent admirer of Clarke and did everything within his power to evidence his admiration and esteem, even to the extent of throwing to him a fifty thousand dollar fee.

In this campaign, Davis lost the following counties, viz: Arkansas, Sebastian, Garland, Lee and Miller.

Davis received 76,897 votes, Rector 39,591; Clarke, 61,228, Jones 53,828.

CHAPTER XIV.

HIS FIGHT FOR SENATOR CLARKE.

The innovation injected into the campaign by the Governor was so new and startling that the politicians failed to grasp its significance. The idea was a startling one that a candidate for Governor with determined and organized opposition, should daily publicly and privately tell large numbers of people that he wanted them to vote for another person for another office, and that by so doing, they would confer a favor upon him; that he had only the interest of the people at heart, and it would be better for them that Clarke should be elected Senator than that he, Davis, should be elected Governor, was startling. He did it in all earnestness and sincerity. He had absolutely no doubt in his mind but that he would be nominated, and his entire solicitude was for Senator Clarke. This becomes all the more remarkable when we realize that Senator Jones was a man of national prominence, high in the councils of his party, had a host of political friends throughout the state, and was exceptionally well thought of. When it is considered that Davis went out to defeat this kind of man and at the same time elect himself to another office and accomplished both, he must be ranked as a political genius. His attack on Senator Jones was so bitter that the Senator remarked on various occasions, "This man must be crazy. I never heard such a harangue in my life." He was unacquainted with the Davis brand of oratory. Every candidate previously had sought to travel along the lines of least resistance, had kept out of all entangling alliances and refused to admit that his soul was his property, in fact, boasted as a virtue that he was

minding his own business. Not so with Governor Davis and he made no bones about announcing whom he was for, in fact, rode a horse in every race at the same time taking care of his own mount.

He was never satisfied to run his own race but always had a few on the side, was always trying to carry some friends through, and most of the time unselfishly, and when under no obligation to do so, but just for the excitement of it, the pleasure it gave him.

I know that he would have had no opposition if he had not espoused the cause of Clarke, and I know he courted opposition and was happy when he got it, for it furnished him with an excuse to stump the state and exploit the candidacy of his friend, at the same time keep in touch with his political fences. It would have been a punishment to him greater than he could have withstood, to sit quietly by and watch Clarke and Jones campaign the state, so he started something that eventuated into opposition to him and thus enabled him to make speeches himself. I know he deliberately brought upon himself this opposition, realizing no man in the state could defeat him, no matter what he said or did. He knew the boys in the hills and valleys would touch hands for him whenever he got out among them. He wanted to keep in personal touch with them, to meet them as often as opportunity afforded on their native heath, and weld them to him stronger politically, if that were possible. It was his constant personal contact with them that made them one and he knew no man would turn them from him, that he could not do so himself. If he urged them to vote against him they would not do so. If his record was attacked, they would not believe it. They knew he was their friend, that everything he did was for their good; that he was their Governor, and so long as he served as such, their welfare and interests were being safeguarded.

No man on the stump could have made any impression on them, however brilliant or oratorical he might have been. No man could have made any impression on their allegiance nor weaned them from their idol in the least degree. He was conscious of this and knew he could do anything and hold their affection.

As Senator Clarke in his eulogy in the Senate so aptly said of Senator Davis, "He early realized that half-offended friends might sooner or later find themselves in position where they could do him more injury by encouraging the warfare of his enemies indirectly, than they could as part of the opposition; he never half way 'fell out' with anyone." It was his slogan from which he never departed that no one could hold office under him who was not a white man, a Democrat, and a Jeff Davis man, and from this rule he never knowingly departed.

This led up to his famous controversy with ex-Gov. James P. Eagle, to whom he had given an appointment as a member of the State Capitol Commission. The primary for the second term, ended on Saturday, March 29, 1902. On March 30, the next day, the Governor sent a note to Governor Eagle's home asking him to call on him, but Mr. Eagle was out of the city. Thereupon Governor Davis wrote a short letter advising the Governor he would like to have his resignation as a member of the board. On Governor Eagle's return he answered by asking the reason. Davis answered that it was not because Eagle had made speeches against him in Lonoke county, but because Eagle had said he was against Davis because Davis was fighting Jones. That he didn't blame Eagle for opposing him if he wanted to; that Eagle was entitled to his choice for Governor and Davis was entitled to his choice for Senator; as Eagle did as he pleased, Davis had a right to do as he pleased, and it pleased him to ask

for his resignation. On April 8, 1902, Governor Eagle refused to resign, saying he owed a duty to the public and the Governor was not the public. On this same day Governor Davis tendered to Governor Eagle in writing his resignation as vice-president of the State Baptist Association, saying he did not consider himself fitted for the place, although his greatest solicitude was for the Baptist Church, but he preferred to resign his office therein. Governor Eagle was then president of the Association. On the 19th, Governor Davis caused to be published a proclamation removing Governor Eagle and appointing Mayor W. R. Duley of Little Rock to succeed him, and he notified the Governor, "You are removed." About the same time he removed from the board G. J. Crump, of Harrison, the removal being by proclamation as in the Eagle case, and appointed in his place George Lake of Fayetteville. Sam Cohn in the meantime having resigned from the World's Fair Commission by reason of removal from the state, he appointed in his place J. C. Rembert of Helena, and while he was in the removal business, he removed J. J. Whittaker of Pine Bluff, and appointed in his stead Geo. R. Belding of Hot Springs.

This action in removing forcibly from an important board one of the best beloved men in Arkansas is characteristic of the man. Governor Eagle was at that time president of the Arkansas Baptist Convention, with all that stands for, but it made no difference to Davis if he had been president of all the religious organizations and every other organization in the state. He had made remarks about the Governor, so it was told him, and he could not hold a position under him under those circumstances, no matter who he was or how much pull he had. No man could be an officer in his army who was not wholly for him, his friend in every sense of the word, regardless of

who he was. It was a rule from which he never deviated, which he found was the best policy and which kept down feeling and dissatisfaction among his friends. He never tried to buy an enemy, although he at times placated them, but never with an office. These were reserved for his friends.

Having settled these controversies to his satisfaction, it was left for the Governor next to cross swords with the General Assembly that met in 1903. That the spirit of that body was antagonistic to the Governor is evidenced by the passage of the bill to complete the state capitol building which provided for a governing board to consist of five members to be elected by a joint session of the House and Senate. Heretofore the boards had been appointed by the Governor, but the Legislature took that prerogative out of his hands. He promptly vetoed the bill and the Legislature as promptly passed it over his veto, whereupon the Governor, assuming the Legislature had acted beyond its powers, appointed a board of his own. The Legislature elected one, ignoring the Governor's appointments, and a litigation followed, which was determined by the Supreme Court holding the Governor's appointments void and the commission elected by the Legislature proceeded with the work.

CHAPTER XV.

THE PENITENTIARY FIGHT AND IMPEACHMENT PROCEEDINGS.

Having settled the World's Fair Board in accordance with his desires, he turned his attention to the State Board of Charities or, as it is now called the Board of Control, and fixed the personnel of that board in accordance with his plan of always keeping a governing hand on the situation. No one but a personal friend was appointed and these were recruited from the best citizenship of the district from which they were chosen. He then began to turn his eyes penitentiary-ward and to fan the flames that had lain smoldering in his breast for many months. He was and had always been dissatisfied with the penitentiary management, particularly the leasing of the convicts, although he had signed the contract made by the board to that end. The complete rupture with the board, consisting of the Governor, Attorney General, Auditor, Secretary of State and Commissioner of Agriculture, did not take place until the board undertook to purchase a convict farm. It will be remembered that at the time the penitentiary board was under the control of the officers just mentioned and by a peculiar condition of affairs, the Auditor was chairman of the board. When it is considered that upon the Governor the public fixes the responsibility for the proper management of the state institutions and that there is no rhyme or reason why the Auditor should have been chairman of the board, and when we consider the humiliating position in which this necessarily placed the Governor, and that Governor Davis never played second fiddle on any board of which he was a member, one can easily

understand why this arrangement necessarily and ultimately tended to discord and dissatisfaction.

The volcano which had been smoldering broke out with full force when the matter of the purchase of a convict farm came before it. Governor Davis advocated the purchase of a farm between Altheimer and Pine Bluff, while the balance of the board desired to buy what is now known as the Cummins place, which was purchased. A great deal of acrimonious debate and heated argument took place between the Governor and the other members of the board and when the Cummins place was purchased, the Governor became aroused to the highest pitch of frenzy, and in an interview given to the *St. Louis Globe-Democrat* and *Memphis Commercial Appeal*, he arraigned and castigated the board in no uncertain language. As an evidence of the bitter feelings, we quote the following:

“LASHING OF CONVICTS.

“Arkansas Governor and His Crusade for a Change.”

“The Gathering of Evidence.”

“The Photograph of Convict Rector, Who Wasted Away and Died as a Result, it Is Alleged, of Whipping and Insufficient Food.”

“Arkansas Bureau, *The Commercial Appeal*, Capitol Hotel Building, Little Rock, Ark., August 16, 1903.”

“Governor Davis certainly cannot be accused of lack of earnestness in his purpose to bring about a change in the methods of handling convicts in Arkansas. His devotion to and zeal in the cause have already led him into conflicts which can hardly be pleasant to him, yet he betrays no symptoms of abandoning his purpose or modifying his methods. This much without reference to the correctness of his premises or conclusions in every instance, is a matter which time and the courts must decide. The Governor is proceeding carefully in the collection of

evidence to sustain his contention. * * *” (Then comes the skeleton picture with this description in the lower right hand corner: “James F. Rector of Clay county, who was released from the pen and died soon after reaching home. He was scarred in a horrible manner from having been beaten.”) “A few days since he procured a photograph of Convict Rector, as he appeared shortly before his death, taken for the purpose of showing the effects of the severe whippings given him by guards on the farm. He has further taken steps to have preserved the testimony of witnesses before the penitentiary board at its recent inquiry into the alleged violence of the guards toward convicts in their charge. Following is the testimony of one of them: (Here follows the testimony.)”

The ludicrous part of it was that the cut that the Governor had made of Rector was paid for out of his contingent fund which again aroused the anger of the board members.

The Governor also accused the other members of the board through the financial agent of the board, M. D. L. Cook, with pulling off the convict farm deal after dark, with hastily selling a lot of penitentiary cotton to make the first payment before he, the Governor, could secure an injunction restraining them; that the place purchased was full of bog and morass and slime and malaria, and covered with Johnson grass and that the convicts could not live there. The board was defended by Col. Geo. W. Murphy, a member of it, by reason of his position as Attorney General, and he bitterly attacked the Governor in the press, in the board meetings and in private until the Governor refused to attend any more meetings of the board. The controversy waxed so warm that it not only became statewide in its scope, but the press of cities outside of the state took it up and it became a topic of conversation

everywhere throughout the country. During this controversy the General Assembly of 1903 convened about the middle of January, and immediately a resolution was introduced reciting the attack by Governor Davis on the board and the attack made by Colonel Murphy upon the Governor in which he accused the Governor of various, divers and sundry high crimes and misdemeanors, sufficient to impeach him a dozen times. The House by resolution ordered and directed its Ways and Means Committee to make a thorough, full and complete investigation into the criminations and recriminations and report back its findings for such action as it might deem necessary and thus was laid the foundation for one of the most sensational proceedings that ever led up to an attempt in this state to impeach a Governor. In the discussion of the resolution in the House, the line between the Governor's friends and his enemies was sharply drawn. His friends urged and courted a full and complete investigation while some of the members of the House openly stated that they were willing to vote then to impeach the Governor without any investigation, but on general principles. The committee began hearing testimony on the 19th day of February, 1903, and finished on the 21st day of March, 1903, the evidence covering 800 printed pages. Four different reports were made by four different factions on this committee. Report No. 1 was signed by Representatives Merri-man as chairman; Weaver, Fletcher, Funk, Holland, and Crutcher, the two latter not agreeing to all the specifications agreed to by the others. Report No. 2, which was subsequently adopted, was signed by Rowland and Futrell. Report No. 3 was signed by Wofford, Stockard and Whitley, all of whom were the Governor's close friends and supporters, and their findings completely exonerated him from all the charges. Mr. Whitley filed a special report for himself.

The first matter investigated was the allegation that the Governor had spent \$25.00 from the penitentiary funds as his expense in the investigation of a suitable farm while other members who made the same trip with him had spent and drawn less than \$10.00 each. It was next shown that the Governor drew \$35.00 from his contingent fund to pay his expense in attending the commencement exercises at the University and that there he was paid his expense again and he failed to return to the treasury the first \$35.00 drawn so that he was paid twice. The Governor explained the first item by saying that he spent more than the others, and the second by saying that he intended to return the \$35.00 to the treasury but forgot about it. The next proposition charged against him was that he received free coal from a firm furnishing coal to the charitable institutions. The Governor explained this by saying that the coal was not free, that it had been charged to him and that he owed \$100.00 for it and the trouble was that he just simply didn't have the money with which to pay for it, but that he intended to some day. The purchase of the convict farm was then fully investigated and all the differences between the Governor and the other board members were thoroughly aired. As an evidence of the Governor's tenacity, Colonel Murphy testified, "The board has had a great deal of trouble with Governor Davis. We have had a great deal to endure from him. He has endeavored to force his will right square upon us, right or wrong, and without consideration and regardless of others' feelings if they refused to agree or side with him; it is his nature, it is his disposition."

If the reader, in the light of the serenity of these peaceful intra-state times, smiles at the apparent frivolity of the charges just mentioned, let it be remembered that the members of this board were smarting under what they

conceived to be unjust, unfair and untrue charges made by the Governor both orally and in the press, but particularly contained in his message to the General Assembly wherein he said that the members of the penitentiary board had been guilty of such conduct as to deserve the censure and condemnation of the people of the state on account of misconduct in their official duties. He told the Legislature that the convict farm purchased by the board was covered by lagoons and was a death trap.

The contingent fund of the Governor was the next subject of attack. The committee permitted this feature of the controversy to occupy a period of several days to show that the Governor paid for telegrams and telephone conversations to various members of his family out of his contingent fund. When it is considered that the salary of the Governor was three thousand dollars a year, we cannot help agreeing with him that the contingent fund ought to be placed for the personal use of the chief executive, as under our antiquated constitution \$4,000 is the maximum salary allowed. When Governor Davis was first inducted into the office of Attorney General his salary was \$125.00 a month and that of his assistant \$66.65 per month. He caused it to be raised for his successor and it was always his contention that it was the intention of the Legislature, supported by public sentiment, to place the contingent fund at the disposal of the Governor.

The next accusation was that he accepted free transportation and other like courtesies from the railroads for himself and his friends and considerable evidence was introduced to show that he was furnished cars in which to take hunting trips and trips East, which was easily and simply explained. A consideration of the evidence taken before the Ways and Means Committee would give no indication of the intense feeling that existed between the parties dur-

during that period and followed even into the legislation of that term of the General Assembly. The investigation was conducted in the Supreme Court room of the old state-house and the friends of each side lined up on opposite sides of the chamber. Not only were there factions in the audience, but in the committee itself, some being for Davis, some against, and some neutral, but however high the excitement ran and however tense and dramatic the conditions became, it had less effect upon the Governor who sat in the center of the spotlight than it did upon the spectators and officials. He sat through it all, calm, cool, collected and imperturbable, calmly directing the management of the investigation from his standpoint with no fear of its ultimate result, but with the complete realization that his political enemies were then placing in his hands a weapon which would ultimately permit him to fight his way to the highest rung of the political ladder. He was conscious of the fact that he was being furnished an issue about which he could talk forever and at the same time easily justify and sustain himself before his friends. All he had to do was to start his political mill and the opposition furnished him with unlimited grist. When the evidence was turned over to the House a few who were unfriendly to the Governor saw in it sufficient evidence upon which to find articles of impeachment, but the majority could not see it that way. It will not be amiss to mention an incident showing the spirit of the Governor during this exciting period. A member of the committee asked the Governor if he did not know his expenses would be paid when he got to Fayetteville and he replied, "Yes, sir, but I did not have any money. I haven't got car fare tonight, and if you will loan me five cents I will be obliged to you."

The ire of the board broke out in unrestrained fury

at the interview the Governor gave out in the *Globe Democrat* with reference to the convict Rector. The evidence before the penitentiary officials, the physician and board, was to the effect that Rector died of intestinal troubles, and by reason of a lack of ability to assimilate nourishment died in an emaciated condition after lingering in bed for some time and accumulating bed sores. Davis' interview was to the effect that Rector had been beaten and starved to death and he attempted to show this by a photograph taken of the convict after he had passed away.

It is unquestionably true that this abortive attempt to impeach the Governor sowed the seed for his entrance into the campaign for a third term and gave him a real live issue upon which to go before the people, conscious of his ability to handle this fiasco in his masterly and inimitable manner. No one can doubt but that he made the most out of it in his next campaign.

Report No. 1 follows:

That the Governor's charge that the purchase of the Cummins place was improvident and ill-advised was not founded in fact, and its examination before purchase was characterized by prudence and caution and that the penitentiary board was not guilty of "gross carelessness and neglect of their official duties in this behalf."

That Mr. Hogins, the superintendent, acted with good judgment in supplying the brick company with convicts, and this did not cause strained relations between the Governor and him, but that the strained relations resulted from the superintendent's refusal to remove certain officials at the instance of the Governor. That the evidence is not sufficient to show the convicts were maltreated and fed food unfit to eat.

That the convict Rector was not whipped to death as charged by the Governor, that his scars were the result

of bed sores and that he died of a normal trouble and was not ill treated.

That the Governor did threaten Capt. Monroe with opposition if he did not support the Governor in the purchase of a farm other than the one under consideration.

That the Governor paid the telephone company out of his contingent fund for services unconnected with official business.

That the Governor received gifts of furniture, but that they were not given to influence his official conduct or for any improper purpose.

That the Governor submitted to the board the purchase of the Haywood plantation for \$87,500.00 when at the time he had been offered the place by the owner for \$75,000.00, and did not disclose that offer to the board.

That the Governor did accept free transportation, but that it was neither given nor accepted for improper purposes, and as to the charge that he accepted free coal, the committee declined to report.

Report No. 3 was signed by Wofford, Stockard and Whitley and is in substance as follows:

We exonerate each member of the board from the charges brought against them by the Governor as to corruption and exonerate the Governor in all things from the charges brought against him by the board.

Mr. Whitley made a separate report as follows:

I find that the purchase of a convict farm was limited to the Altheimer or Haywood place and Beakley farm. That the Cummins place was bought on a day's notice and could not be properly examined within that time, it containing ten thousand acres.

That there was much dissatisfaction in the board about mistreatment of convicts, and after the Rector incident,

new rules were inaugurated by the board. The Governor's dealing with Capt. Monroe was to assist him and not for any ulterior purpose. The Governor paid official expenses out of his pocket after his contingent fund became exhausted. There is nothing to show the Governor ever accepted any gratuity for the purpose of influencing him in the conduct of his official business.

Mr. Whitley was an intimate associate of the Governor, and this report was agreed on in the Governor's office and became the foundation for the next campaign to be made by the Governor.

Report No. 2 was the one adopted by the House and was prepared and signed by J. S. Rowland and J. M. Futrell. It provided:

That in their judgment they had no authority to pass on the questions, their function being to present the evidence to the House for its consideration, the House being the sole arbiter of the controversy and not the committee. In substance they found that they acted as a sort of Master to find the facts, leaving it for the Court to determine whether the facts made out a case.

These various reports were vigorously discussed, report No. 2 adopted, and the House found there was not sufficient evidence to sustain the charges on either side, and thus passed into history one of the most memorable controversies that ever took place in Arkansas.

That the Governor and General Assembly were at loggerheads is beyond doubt. They showed it when they refused to permit him to select the capitol commission, but they thought they had an "ace in the hole," when they tried to pull another on him and did not awaken until they found themselves checkmated. The Constitution gives the Governor five days to consider a bill before being compelled to act on it, except when one is presented

at such a time that the Governor cannot return the bill within the five-day period on account of the final adjournment of the Legislature; then he shall have twenty days in which to act on it. In other words, if there is a final adjournment within the five-day period, his time is extended twenty days. The faction in the Legislature of 1903 that was unfriendly to the Governor believed he intended to veto some of their bills after adjournment, so they framed up a plan not to present a number of bills until after twenty days after adjournment, being of the opinion that the Governor would then lose jurisdiction over them and could not exercise the veto power, and that the bills would, after that time, automatically become laws. It was a shrewd scheme and as the twenty-day period began to pass along the Governor was either tipped off or saw the play. He investigated the Constitution, satisfied himself what it meant and then played his "ace in the hole" without saying a word except to those with whom he advised. Some of his friends were interested in certain bills which he quietly had segregated from the mass and approved without enrollment. When the twenty-day period was over the various clerks and committees began to bring in legislative bills by the armload. The Governor waited until all the bills were brought in, then prepared and published a proclamation vetoing them all, over three hundred. He had me procure a wheel-barrow, which we loaded with vetoed bills and which filled it to capacity, and then rolled the wheel-barrow loaded with legislative bills into the office of the Secretary of State and dumped them out on the floor at the desk of Secretary John W. Crockett. It was a curious sight and as soon as the news of it leaked out people crowded in to view the destruction of many weeks of labor by the General Assembly. The Governor had played his big trump and took the trick. Among the bills that went down when the liner "Legisla-

ture'' was torpedoed was one making an appropriation to compile a roster of the officers and enlisted men who served in the Confederate army from Arkansas, on which work had already begun. The validity of the veto was attacked in an effort to save the bill, but in the case of *Monroe, Auditor, vs. Green*, 71 Ark. 527, the veto was sustained and a large portion of the legislative work annihilated. All of these matters, with many others, furnished grist for the next gubernatorial campaign.

CHAPTER XVI.

HIS THIRD CONTEST FOR GOVERNOR.

Jeff Davis had openly antagonized the friends of Senator Jones who was a leader in the U. S. Senate and chairman of the National Democratic Committee. He was offering for a third term as Governor, an action unprecedented in the annals of Arkansas politics, and contrary to the fixed and settled traditions of the party; and at the same time, he was courting the concentrated opposition of Senator Berry and his following, by announcing his intention to contest the Senator's seat at the next primary succeeding the one upon which he was then preparing to enter.

It looked like sheer folly, and yet he had no desire to disguise the fact and openly stated on numerous occasions that his only object in being Governor a third term was to keep before the public. He did not ground his candidacy upon administrative expediency, nor the necessity for finishing problems of interest to the people inaugurated by him during his present or past term, nor the arising of such new problems as the result of his administration as to make it expedient for the public good that he be retained for another term. But he frankly and without the least hesitation or desire to be demagogic, announced that he wanted to be Governor again for the simple and selfish purpose of furthering his future candidacy against Senator Berry; to hold his machine together, and to be in office when his next contest came on. The more one thinks over this sublime confidence, the more amazed one becomes. It would not be just to call this "bluff," or "nerve." It was the supreme crystallization of the absolute confidence

he felt in his ability to sway the masses under any contingency.

It must be further remembered that the Governor's second term was characterized by an unusual amount of turmoil; that bitter factional disturbances was the order of things; that he was attempting something no one in or out of office ever had the hardihood to try; that he was openly courting the organized opposition of the most beloved official in the state, and that of his friends; that the press was organized against him; the business interests hated him, and the politicians were against him; that it looked like at the completion of each term he would shoot his bolt; that he was the most bitterly hated and most zealously beloved man in the state. He had been turned out of the Baptist church and had stigmatized the board of deacons who expelled him as "Quart Baptists." The prohibitionists were organized against him for his constant and wholesale pardoning of bootleggers. Is it any wonder that it looked like every avenue for victory had been closed to him, but was open to any man who had merely a reasonable amount of ability, who had no political record to be assailed; to any man who had sense enough to take advantage of the opposition, organize it, and assume its leadership. Never in the history of the state did any one inherit with so little effort, the firm, determined and intelligent opposition that fell to the lot of the Governor's opponent. The opposition made a thorough and complete survey of the situation and by a process of elimination finally selected the one who should be its standard bearer in the bitter conflict to follow, although Vandeventer, who opposed Governor Davis in his first race, also announced his determination to run. The choice, however, fell upon Hon. Carroll D. Wood, an Associate Justice of the Supreme Court and a member of a prominent family of jurists of

this state. It is not fair to judge the strength of Judge Wood's candidacy by the result of that primary, for I say without any hesitation that at the time of his selection—and he was selected by some of the ablest politicians in the state—he was one of the strongest and most formidable men who could have been selected to oppose the Governor. He was a strong and influential member of the Baptist church as well as a consistent one, had a splendid record on the bench, was a good speaker, vigorous and active as well as fearless. No mistake was made at that time in his selection. But regardless of who had been selected, the result would have been the same, for no man could have withstood Jeff Davis, despite his record, his actions, or his conduct in any respect. He could have been turned out of everything except the state and then won. He could have been branded with any kind of canard, refused to deny anything, and still have been elected. He was simply unbeatable.

That the opposition had an intelligent organization behind it is evident from the fact that as soon as the judge announced, there immediately sprang up all over the state, political organizations designated as Wood clubs, an official emblem being adopted in the form of a small wooden button of which thousands upon thousands were made and worn by the Wood followers on their coat lapels. The press was solidly behind his candidacy and printed everything from anybody if it had a pro-Wood aspect. Grand juries were polled and as reported to the *Arkansas Gazette*, the majority in most cases was for Wood, this being also true of the petit juries.

The larger centers of population were polled, straw ballots taken and in each instance Wood majorities were shown. It was a matter of common knowledge that the strength of Governor Davis lay in the smaller communities

or rural districts, so straw ballots were sent in from these districts showing Wood majorities. Wherever a number of citizens congregated, a vote was taken, showing a Wood majority. County officials were polled with the same result. As the office manager for Governor Davis not only in that campaign but in every one he made except his second race for Senator, I desire at this time to say that in my judgment the Wood campaign was one of the best managed political campaigns I ever saw in Arkansas. It was managed along intelligent, orderly and fairly economical lines and calculated to win as against any other man in the world except Jeff Davis. They created a sentiment and so inspired the opposition to Davis that we became nervous and at times somewhat apprehensive for fear the opposition would stampede our forces, realizing there are many thousands who in the political game always like to ride a winner and will support the man whom they believe is going to win. It was this vote we were at all times trying to save and it was this vote we realized the opposition was bidding for.

The Wood forces played their trump card when they pulled off a gigantic convention in Little Rock in which representatives of all the Wood clubs in the state were supposed to assemble. Special rates were given by the railroads and the Wood followers poured into the city by train loads. A monster meeting was held by them, they being addressed by some of the best known and ablest speakers in the state, until their enthusiasm was raised to a point of frenzy. They paraded the streets wearing and carrying large wooden buttons, some as large as a dinner plate which they proudly exhibited. They took possession of the city and each gave out numerous interviews to the effect that his part of the country was solidly for Wood and there was not even the slightest question

about it. As soon as the meeting was over, an ardent follower of the Governor wrote the following parody which was printed and circulated among the Governor's friends to neutralize whatever effect the meeting might have had:

THE GRAND WOOD BLOWOUT.

In view of the fact that the Wood clubs of the state are called to meet at Little Rock, on the 8th day of March, and as the object of the meeting, and the promoters of the scheme, are well known, it may be safely predicted that the proceedings of the meeting will be in substance about as follows:

ANTICIPATED PROCEEDINGS

of the Convention of the Carroll D. Wood Club, which met in the city of Little Rock, March 8, 1904.

The house was called to order at 10:00 a. m. by the president of the Wood Club of Pulaski county, who addressed the convention as follows:

Friends, Trust Representatives, Insurance Agents,
Bond-Holders, Railroad Attorneys, Ex-office Holders,
Disgruntled Politicians, Bolters and Scratchers of
The Democratic Ticket, lend me your ears:
I come not to praise Wood but to bury Jeff.
The evil that men do live after them;
The good is oft interred with their bones;
So let it be with Jeff.
The noble Trust Agents have said that Jeff is
Ambitious;
Ah, that is a grievous fault,
And grievously shall he answer it.
For the Trust Agents are honorable men;
So are we all, all honorable men—
All working for the same cause—

The cause of the Combines, the Corporations
And the Monopolies against the people.
That he is a friend, faithful and true,
To the Common people, no one can deny;
That he doth look after the Red Necks,
Hill Billeys and one-gallus crowd,
No one can deny.
Then to us that is a grievous fault;
For the Common people have no part with us.

We all know that the only use we have for
Them is to skin 'em;
And all the use our man Friday (Wood) has
For them is to vote them and make them sit
With negroes on juries.

This same Jeff Davis as Governor treats the
Common farmer and laborer with the same consid-
eration
He does the millionaire, and this is a
Grievous fault.

He says that Wood wants the negro vote,
And Wood was forced to acknowledge it—
Said he put the negroes on the jury commission
To get their votes,
And Teddy eats with negroes to get their votes;
And when Jeff said that he committed a
Grievous fault.
So, my fellow Scratchers, Bolters, Fishers on
Election day, Trust Agents, Disgruntled Politicians
And Enemies of the Common People, the chair is
Ready to hear from other members of other
Anti-Davis Clubs.

(Loud and prolonged applause.)

Mr. Chairman:

The chairman recognizes the gentleman from Morrilton. (Takes the stage):

Mr. Chairman and Gentlemen:

I come not here to talk;

You know too well the story of our thralldom.

We are slaves—political slaves.

The bright sun rises to his course and lights

A race of slaves; he sets and his last beams

Fall on a slave. We have been put out of business

By that infamous Redneck, Ox Driver, Hill Billy and

Friend-to-the-poor-man—Jeff Davis. (Cheers.)

Have I not a great grievance against him?

Did I not pretend to be running for Governor

That I might the better abuse him, and did I not

Make an hundred speeches, vile vicious speeches,

Against him over the state, and did he not ridicule

And expose me before the people?

And did not his crowds of 10 to 1 and 12 to 1

Of farmers, laborers and poor trash (whom we

So justly despise), hoot and hiss at me?

And when I would relate our sad story that motley

Crowd who never scratched a Democratic ticket

Would yell out, "Hurrah for Jeff."

And did not his prediction that my contracts to

Go about and abuse him would expire and that I

Would withdraw on the first of January come true?

"That was the most unkindest cut of all," and

Was not that a grievous fault, and should I not

Hate him?

Did I not tell all sorts of lies on him, and

Did I not call him a coward?

And did I not tell the people that he would not

Fight? And did I not see him lick the Noble Wood,
In whose interest I was pretending to run?
Then, I say, let's crush him out, down with this
Common herd, it's nothing but right that they
Should sit on juries with negroes where
Noble Wood will assign them.

(Cheers, cheers, long and loud.)

The Gentleman from Newport has the floor:

A plague of all cowards I say; I am sorely grieved.
Am I not one of the Nobles of the land?
And have I not tried to crush the Common People,
And did I not bear false witness against this
Friend of the poor? And was I not exposed?
A plague of all cowards, is there no virtue extant?
Did not that coward of a cashier Henry expose
My vileous lying? And did we not suppose that he
Would lie and slander this J. Davis as we have done?
But he played us false, he exposed our little chain.
A plague of all cowards I say still.
The Noble Van, the Noble House, the Noble Vaughn,
The Noble Mitchell, the Noble Hemmingway, the
Noble Sloan, the Noble Thompkins, the Noble
Democrat and the Noble Gazette, as well as hundreds
Of other Noble Squirrel-headed editors are
Continuing to lie on the Jeff Davis whom the
Trusts, Monopolies and Silk Stocking gang hate so
Badly. (Cheers.)

The Gentleman from Monroe County has the floor.

Mr. Chairman:

Man born of ambition is few days and full of
Disappointment.
He cometh forth as a flower one day and is cut down.
Jeff Davis goeth up against him,

And he continueth not. Man dies this political
Death and where is he?
So long then as my toil endureth
"Will I wait till a change comes to be." (Tears.)

Chair: The gentleman from Pulaski has the floor.

Mr. President, I move that the chair appoint a committee of 13 of the most disgruntled and foul-mouthed liars of this convention to draft resolutions expressing our malice and hatred for this Jeff Davis, and that the gentleman from Conway county be made a member of that committee.

(Motion unanimously adopted.)

The Chair appointed a committee of 13 who retired.

While the committee was out several members made long, loud and inflammatory speeches abusing J. Davis, all of which were received with enthusiastic applause.

Committee report:

Mr. Chairman, and other disgruntled friends:

"If you have tears prepare to shed them now."

Whereas this Red Neck, Ox driver, J. Davis, while Attorney General did bring many suits against the trusts and caused us to spend many thousands of dollars to defeat him; And whereas our fellow worker and chief abuser of Davis, the Noble Murphy, while a candidate did abuse the Supreme Court and that fool J. Davis tells it yet; And whereas the Noble Wood from Marianna went out against him and only lasted two days; And whereas the Noble Van was fool enough to hang on till Davis got 74 counties; And whereas the Noble Fletcher was asked by this demagogue J. Davis how many jugs of buttermilk he drank while running on the Populist-Republican ticket for Governor, and the Noble Fletcher was put out of business.

And whereas, 90 per cent of the true Democrats of

the state who have never scratched a ticket supported this J. Davis; And whereas the Democratic convention, both state and national, demanded an anti-trust law; and whereas this J. Davis had little enough sense to attempt to amend the Rector anti-trust law by supporting the King bill in the session of 1901, which cost us many hundreds of dollars to defeat.

And whereas, the Democratic party of Arkansas, principally farmers and laborers endorsed this said J. Davis and beat the Noble Rector whom we thought we could fool the people with; And whereas that Democratic party demanded the passage of the King bill; And whereas as Governor this said J. Davis tried to pass it through the Legislature in 1903, which cost us many thousands of dollars to defeat. And whereas the Noble Senator from Sebastian, and the Senator from Lee and many other Noble members disregarded the will of the Democratic party and the Common People and stood by us in our hour of distress, for well do we know that if this bill had passed our days would be numbered, we could no longer rob the people as we now do. And whereas, he had his man Friday, Had Humphreys to introduce a bill to cancel the convict contract with the Brick Co., which cost our friends many thousands of dollars to defeat. And whereas many of our Noble brothers who had fat jobs and profitable contracts with the statehouse had to pack their grips and sail out; And whereas this J. Davis has forced the keeper to feed the crazy people decently; And whereas he has interfered with the profitable business of contracting with the state; And whereas the people's money that they pay in taxes he sees is not wasted and we have no chance to gobble it up; And whereas he has raised the taxable value on railroads some \$1,500,000.00 and now the railroads of the state have to pay on at least one-fourth their true

value; And whereas, we hear nothing more about convicts being worked, starved and whipped to death by keepers as in former days; And whereas we have suffered many grievous disappointments at the hands of this J. Davis which interfered with us in fleecing the state; And whereas we have lied on him and abused him for being a friend of the people and many and oft times have our lies been exposed. Yes, we called him a coward, said he would not fight, but he licked the Noble Wood at Hope.

Therefore, be it resolved, that this J. Davis is a demagogue, a liar and a friend of the poor man and the laborers of the state, and an enemy of Trusts, Combines, Railroads, and Trust Agents.

Resolved that when Thomas Jefferson said that all men are created equal that he was a fool and a demagogue and a friend to the poor, as this J. Davis is.

Resolved, further, that it is our indispensable duty to defeat him at all hazards, even if we have to count him out.

Resolved, further, that the Noble House, the Noble Murphy, the Noble Hemmingway, the Noble Tompkins, the Noble Vaughn and Van, the Noble Kerwin, the Noble Minor and the Noble Gazette and Democrat and all of us continue this vile campaign of slander and abuse against him, and that we all go out and teach the people how to vote, and that we carry back to the people a wave of anti-Davis enthusiasm and on election day when the count is made see to it that the returns come in for Wood, no matter how the vote is cast.

Resolved that the railroads in furnishing us free transportation to this clique meeting are paying a part of their share of this campaign fund against Davis.

• Unanimously adopted, with uproarous applause.

In the meantime prominent speakers volunteered to

make speeches for Judge Wood and the state was raked fore and aft with speakers in an effort to defeat the Governor. The people were told he had no chance to win and from all sections could be heard predictions of Judge Wood's triumphant entry into the gubernatorial office. The politicians were with him, the press, the pulpit, the railroads, the business interests, road overseers, school directors, in fact, everyone, according to press reports. In the meantime, the Governor, Judge Wood and Vandeventer met at various places on the stump. At each successive meeting the debate became more acrimonious and more bitterness was engendered, finally culminating in a personal difficulty between the Governor and Judge Wood, at Hope.

In his first race for Governor, Davis grounded his appeal on things he hoped to accomplish, while in third race, Judge Wood immediately put him on the defensive, a character of fighting at which Davis was master. But the Governor clearly demonstrated that in the vernacular of the prize ring, he was a two-handed fighter. He could fight defensively as well as offensively, and in his third campaign demonstrated this fact beyond the peradventure of a doubt. He gave an account of his stewardship, told of building and equipping the Deaf-Mute with money secured from raising the taxes on railroads (although he was but one member of a board of three), told the people not to worry over the railroads but to protect the man who has the other end of the handstick lifting the burdens of life. He then undertook to defend his pardoning record, which was always the subject of attack. No one can justly say that he was not at his best when his pardoning record was his theme, and all attacks along that line fell flat. He defended his appointments to office and reiterated the rule he had made famous, that he would never appoint

to office a man who did not possess three qualifications, viz: He must be a white man, a Democrat, and a Jeff Davis man. Realizing that his record for granting pardons would be severely attacked, and conscious of the fact he had not discriminated against any county in the matter of pardons, he made it a point when he went into a county to speak, to carry with him the most voluminously signed petition granted in that county. Then he would take for his target the local editor who was opposing him and who, together with other citizens had signed the application, and point them out and refer to them in the crowd, read some of the bitterest editorials and then sprang the petition and signatures on it. No process of logic or argument could offset this telling manner of answering his enemies, and without exception it carried the crowd, which lost sight of every other issue. And yet one wonders how he could get by with all the charges against him. In addition, the Governor would draw a pathetic word picture of women and children kneeling before him in humble supplication, with tear-lined faces pleading for their erring ones.

No man ever lived who intuitively knew the psychology of the average Arkansas audience as he did. No man ever had the facilities for reaching the vital spot, and without logic, without eloquence or any of the orator's arts. He spoke to them in a language which they knew and which they understood. If his audience was not with him in the beginning, he instinctively realized it, and they became perfectly receptive before he had proceeded far. He always managed to strike the chord that found a responsive echo in their hearts after which he would proceed to repeat the various indictments brought against him by the opposition and then brush them away, justifying his conduct by charging that he was acting in their interests and the opposition was trying to get rid of him because he was their

friend. He declared that he stood sentinel at their treasury and would not permit the grafters to loot the treasury and therefore they opposed him. He handled the crowds with the same degree of dexterity with which he formerly handled juries when prosecuting attorney and turned damaging evidence in his favor by his method of explanation. He painted horrible pictures of the gang at Little Rock; told the people he was their Joshua, their standard bearer in the fight against oppression and persecution; that he was fighting for their liberty; that on account of his deep-seated and unselfish love for them, for the laboring man, the one-gallus boy, the "red-neck," he was being socially ostracised; that the public service corporations refused to render him ordinary service; that the finger of scorn was pointed at him when he walked the streets; that the opposition was ready to assassinate him whenever the opportunity presented itself; that all this was taking place because he was fighting the battle of the poor against the rich, the persecuted against the persecutor, fighting entrenched wealth and power, and that he was going to turn Red river through the capitol and clean it out. Is it any wonder that his followers refused to believe any statement made against him? That he could pursue a course of conduct absolutely without fear or restraint and which would have completely annihilated any other person politically, goes without saying. Is it any wonder that he could assume any handicap and gallop off with the race regardless of his opponent or the issues? Even when he was turned out of the Baptist church, instead of ending his political career as it would that of any other man, he laughed and made fun of it everywhere, charging that those who turned him out were "Quart Baptists," while he was only a pint Baptist, and flaunted this argument in the face of every Baptist in Arkansas and got away with it. So complete was his domination over his followers he could have organized a gigantic army and

swept the capitol off the map. They idolized him, they idealized him and would have taken his word against that of every Baptist or other denominational minister in the state, or all of them together. What chance, then, had any other man in this contest?

As an indication of the way the speeches of the candidates were received, I desire to quote from a Paragould paper of December 1, 1903. After commenting on the fact that the courtroom was crowded, the article went on to say: "Judge Wood delivered a dignified, chaste and scholarly speech. He severely criticised the Governor's pardoning record, criticized the Governor for not recognizing educational legislation, defended the Supreme Court and was awarded liberal applause when he took his seat. Governor Davis had a valise full of documents of every kind bearing upon the campaign and these he proceeded to spread out before him before addressing the audience. When he was introduced there was not even a ripple of applause and it looked like a frost for the Governor, but he hadn't been on the floor thirty minutes before he had about two-thirds of the audience standing on its head, figuratively speaking, and the building shaking with frequent outbursts of applause. There was consternation at times and the Governor had to stop in the middle of a sentence two or three times and ask his friends to desist from their hilarity, they seemed to want to hollow too much. Governor Davis' speech was the product of a genius, not because of his finish, his brilliancy or the power of its logic, but of the inimitable style, his unapproachable individuality, his wonderful power of mesmerism which, when he once gets the sympathy of his audience, enables him to bend them to his will. As a political juggler we doubt if Governor Davis has an equal in this or any other state. His power is simply wonderful and an ordinary man is

simply swept before him like chaff before a wind. He had not the power of logic nor the polish of literary culture, but the intuition of a man of genius who seizes an opportunity without premeditation or preparation and makes the most of it to his own advantage, just as the artist paints the landscape with an instantaneous stroke of the brush when clouds, sunshine and meadow present the most pleasing contrast. In political legerdemain he is a past master whose cunning evades the best laid scheme of political foes for his entanglement. He disarms opposition of its mightiest weapons and puts it to hapless flight when his own undoing seemed inevitable. Such a man is Jeff Davis. This is about as true a picture of the man as we are capable of making. We are not writing an eulogy in defense of his character, we are not saying that we are for the man for Governor, we are simply giving our estimate of him as we find him on the hustings. It looked like, when the Legislature was in session last winter, his star would soon set and sink into oblivion, but its ascendancy in the political firmament is now so clearly visible that a blind man can see it. He is the Napoleon of Arkansas politics who has not yet met his Waterloo. The politicians hate him, most of the newspapers roast him, the preachers execrate him, but the star of his destiny overrides them all and soars aloft like an eagle, not deigning to feed upon the offal cast at his feet by his political adversaries. In a political battle the man seems supremely happy. Yesterday an expression of ineffable joy overspread his countenance as he swayed most of the large audience at his will and scattered the accusations of his accusers like chaff before the wind.

“In his speech Governor Davis defended his record as Governor. He attacked with much vehemence the Supreme Court of this state and read parts of an address from a

speech by Colonel Murphy which was a severe arraignment of the Supreme Court. He gave his history of his connection with anti-trust legislation and excoriated the Legislature and the Supreme Court for the part they had played. His speech was caustic, powerful and belligerent. At times, the tumult was so great that not a word could be understood, and he would have to wait for the applause to die down while at other times death-like stillness pervaded the room and talking in an ordinary conversational tone he could be heard throughout the room.

"It was nearing five o'clock when the Governor finished and Mr. Vandeventer announced that he would speak at night. At seven o'clock quite a large audience assembled in the courtroom to hear him abuse the Governor. He is a good speaker, has a fine command of language and he devoted an hour and a half to Governor Davis that was highly pleasing to the Governor's enemies. He called the Governor everything mean that he thought of and denounced him in the most bitter and uncompromising language. But 'the Governor was not there.'

"In this connection, it might not be amiss to say that this was one of the old tricks of the Governor that he worked successfully for years. That is, when he got through speaking and his opponent followed, he usually left the building and a goodly part of the audience left with him. It was one way to break up the crowd and in most cases he was successful. Various candidates tried to make him promise in advance he would wait until the finish, but he always had some clever way of evading the issue to the complete satisfaction and merriment of his friends."

This article is typical of the manner in which the Governor at that time, which was in December, 1903, was

regarded by the masses as reflected by the unfriendly part of the press.

At the time this article was written, the campaign had not progressed far enough to become bitter, but it was fast approaching the period when issues would be cast to the winds and personalities, or what is known as billingsgate, or mud-slinging, would become the order of debate. The Governor challenged the Judge's record on the bench, particularly with reference to the Ester Warren case, and accused him of having predilections for railroads; accused him of officially recognizing negroes when he was a circuit judge, on juries and otherwise; accused him of refusing to vote for him as the Demcoratic nominee and going fishing on election day. The Judge accused the Governor of fomenting strife and discord among his fellow officers, abusing the pardoning power, accepting free railroad passes, misuse of his contingent fund, wilfully misrepresenting facts, drinking, demagogy and many similar matters. Then ensued an era of cartooning, the Davis forces cartooning the Judge sitting on a log fishing election day, holding the railroads in his arms in support of them as against the people. These were circulated by the tens of thousands and the Davis headquarters was swamped with requests for them.

The reader will understand that a political civil war existed in the state which infested every channel of business and politics. No man could offer even for constable or school director, much less the higher offices, unless he in advance declared himself as between Davis and Wood. That was the only issue recognized or qualification for office required. Merits were cast to the winds, integrity, qualification, reputation were lost sight of in blazing animosity and rivalry between two contending forces. The first question asked an embryo office-seeker was how he

stood in the Governor's race and woe betide him if he sought by the least means to beg or evade the question. Like the civil war, he had to take sides. Hence when the cartoons made their appearance, it seemed to be a relief against having to read further argument by the candidates and their headquarters which by this time had become somewhat stale and tiresome. But a Davis follower could stick a cartoon under the nose of a Wood follower and thus bring upon him the laugh of all those standing around and I could see a general stiffening of the Davis forces when the cartoons began to circulate. This was reflected in the mail which was always a splendid indication of which way the wind was blowing, for it showed the personal interest taken in his race by his friends in various parts of the state. He always urged his friends to write him conditions in their sections and if favorable he would send the letters to friends in other sections of the state for exhibition, and thus he circulated his mail which always had a wonderful helping effect in keeping his friends alive, informed and confident, and able to discuss conditions elsewhere.

CHAPTER XVII.

THE SENATORIAL CAMPAIGN.

In announcing his candidacy for the third term, Governor Davis had concurrently announced if successful he would become a candidate against Senator Berry in the campaign to take place two years later.

At that time Senators were elected by the Legislature which had plenary power to elect whom it pleased. It was customary for the representative from a county to vote for the person receiving the highest number of votes in his county for the office, while the Senator voted for the one receiving the highest number of votes in the Senatorial district composed usually of two or more counties. Governor Davis realized his strength was with the masses, and believed that unless he could change the method of procedure, a strong and perhaps successful effort would be made to defeat him before the Legislature even should he receive a popular majority or plurality of the votes at the primary. He immediately began to trim his sails to the approaching gale, starting a propaganda that the Legislature should be bound by the will of the people and the only true way to obtain an expression of this will was to leave it to a majority of the people; that the contest should be held and the result determined as contests for the state and county officers; that county lines be obliterated and the person receiving the highest number of votes should automatically receive the office, the Legislature merely acting in a ministerial capacity.

The Governor had little trouble in arranging so that a majority of his friends should compose the state convention, for that body had supreme power over the primaries.

The convention met in Hot Springs in June, 1904, and Judge Jephtha H. Evans, a lifelong friend of the Governor, was made chairman of the committee on platform and resolutions. This committee recommended a change in selection of Democratic nominees for Senator in accordance with the wishes of the Governor, a minority report being filed by J. C. Hawthorne. A prolonged discussion followed that part of the report dealing with the change in selecting Senators by providing that the one receiving the largest vote in the primary should be declared the nominee. When the vote was taken on the minority report it was defeated by a vote of 262 to 150, the date of the primary for Senator was fixed for March, 1906, and the fight was on in earnest.

It would not be amiss here to mention the fact that the reform for which the Governor was contending is exactly what subsequently took place when the Federal Constitution was amended so that Senators could be elected by a popular vote of the people instead of by Legislature, thus eliminating corruption in those bodies and enabling them to legislate free from whatever influence these contests engendered. To those who live in two-party states, I desire to explain that a nomination by primary in Arkansas is equivalent to an election. The normal majority in the general election is about two to one, hence all contests are made and fought out in the Democratic primary. The Governor saw that the time must come when the people would elect their Senators just as they did their Congressmen and he forced the Democratic party in Arkansas to take an advanced position in the matter, albeit I believe he did it for his own purpose. He realized that if it were left to the Legislature, it would be extremely doubtful if he secured their vote, even though he carried a majority in the state, hence in order to make sure of victory he planned

that the Legislature would have nothing to do in the matter except formally to ratify what was done in the primary as only one name would be presented except where the contest would be close and contests made in counties where both might claim a majority.

From a strictly political standpoint, conditions in this contest were not so favorable as they were in the Governor's race for the nomination for the third term. In that contest, while it was true that Governor Davis was endeavoring to shatter a time-honored precedent, he ingeniously added to it that he was running for vindication. He stated that he would not have offered for a third term for Governor, but that he had been accused of all sorts of high crimes and misdemeanors in office and he knew of no other way to justify himself before the people than to meet and tell them about this impeachment proceeding, and he was compelled to run for Governor for a third term in order to accomplish this purpose. It was very plausible, at least sufficiently plausible for them, judging by the result.

During the Governor's administration as Attorney General, at the celebrated business men's convention, held at Glenwood park in Little Rock to protest against his construction of the anti-trust law, Davis was given a gold-headed cane by the members of the General Assembly for his defense of their action, after being hissed and jeered in the meeting. It was this cane with which he struck Judge Wood, when the latter knocked him off the platform at Hope, indenting the gold-headed handle, which he always showed to his friends with a great deal of pride. I have mentioned this fact because this cane is fated to play another important part in the political history of Arkansas.

The only justification Davis had for offering against Senator Berry was that he felt entitled to rise higher in

the halls of political fame because of his services to the state and that Senator Berry had served his usefulness as a Senator. Senator Berry first entered politics by being elected to the House of Representatives of the General Assembly of Arkansas from Carroll county in 1866. He was again elected in 1872 and was speaker of the House in 1874. He then served as circuit judge of his district until he went into the Governor's office in 1882 and in 1885 was elected United States Senator having served continuously in that office until defeated by Governor Davis. This contest was the topic of conversation in every quarter of the state and among all kinds of people and it is needless to say that there was no hesitancy in taking sides.

In the Clarke-Jones campaign, Governor Davis had made a thorough campaign of northwestern Arkansas. When Senator Clarke went into that territory, he found the seed well sown, the land so well prepared, that notwithstanding the lifetime intimacy and affection between Senators Jones and Berry, Senator Clarke carried Benton county, the home of Senator Berry. The Davis followers insisted that Governor Davis was responsible for this and that he would also carry the county for himself. The Governor was not an office man and he was as quiet, restful and peaceful in his office as a lion in a cage during a circus parade. At times as I wended my way through the menagerie of a big circus and saw the king of the jungles clothed in all his majesty, restlessly and carelessly pacing his six-by-ten cage, I was reminded of the man with whom I was associated, pacing the floor of his office and yearning to be out on the hustings talking to one-gallus boys.

My readers will understand that Governor Davis was a man with little social aspirations. He never wore a full

dress suit nor a silk hat; had been the recipient of a dozen silk hats which he had given away as fast as received; had never desired nor been inclined to attend a social function, nor conventional function of any kind, and did not attend them. He made no pretense of being familiar with the ways of society and boasted on the stump that he had no connection with society people, in fact, at times, he represented that his family made their own soap and washed their own clothes in the back yard, and were only plain, ordinary people like his hearers, none of which, of course, was true, but it gave him a great deal of satisfaction to tell about it.

As a matter of fact, he refused to wear anything except a prince Albert suit, consisting of a Confederate gray material, as a continued evidence of his loyalty to the South and her cause, the cloth being taken from a pattern which his tailor always kept for him and which pattern was never changed. He wore a fairly large, broad-brimmed Stetson hat, the pattern of which also was never changed. During his entire services as Governor I recall but few instances where he wore a black suit—it was always his Confederate gray.

Having no social desires, having confined his confidence to a small and limited circle in Little Rock, he naturally found time dragging heavily except during the time each two years the Legislature was in session. He was exceedingly fond of fishing and hunting, was a crack bird shot, was passionately fond of bird dogs, and, in fact, was fond of all outdoor sports and consumed much time in fishing and hunting, and always owned trained bird dogs.

I recall one occasion when he returned to Little Rock from a trip to western Arkansas with a barrel full of fish and it gave him the greatest pleasure to distribute these among his friends.

I have digressed only for the purpose of showing that when Governor Davis was out on the hustings he was performing not what he conceived to be a duty, and what to others might seem like work, but to him was a real pleasure, a real labor of love. It was the kind of outdoor sport at which he was at his best, in which he reveled and it afforded him sufficient stimulation to keep him on edge all the time. I have seen him come home after three or four weeks of hard campaigning in some nearly inaccessible parts of the state, completely worn out mentally and physically, and yet after a day or two of rest, he was anxious and eager to jump again into the political grind. There was no limitation upon his strength or his desire, or physical endurance, hence he opened his campaigns at the earliest possible moment, not only for the purpose of wearing out his opponent by an abnormally long campaign, but more for his innate love of getting out on the stump, and away from the drudgery of his office routine.

In the early part of the summer of 1905, after the Legislature adjourned and matters incident to their stay had been wound up, Governor Davis began to make plans for the Senatorial campaign and invited Senator Berry to participate in a joint speaking debate, although the primary was not to be held until the last Wednesday of March, 1906, nearly a year away. Senator Berry declined to participate in a campaign so far ahead of the primary, declaring that the farmers were busy with their crops and did not care to be disturbed by having to quit work to listen to them talk; that, therefore, the crowds would not be numerically strong enough to justify a speaking tour at that time; moreover, the Senator stated that his physical condition was not such as to justify him in attempting to engage in a campaign lasting that many months. There was no question but that the Senator was correct because his

physical condition at his age was not such as to enable him to go around and experience the discomforts incident to the campaigning of the state in 1905. The reader must remember that at the time there were no facilities for getting around, nor the comforts and conveniences for travel that now exist. The Ford had not invaded the state and a great many trips had to be taken by buggy through the country over rough roads by day and night and in all kinds of weather.

I remember on one occasion in company with Chas. C. Reid, we left Clinton at break of day one morning in a two-horse buggy and after driving continuously all morning and all afternoon, we finally reached Morrilton in the middle of the night. The same trip could now be made in less than three hours in a Ford, so it is much easier today to campaign the state than it was in 1905 and 1906. Therefore no one can blame the Senator for refusing to participate in a speaking tour with Governor Davis that would cover a period of nine months.

This, however, did not deter the Governor one iota from maturing his plans along the lines already mapped out long in advance. He immediately gave notice that on July 4, 1905, he would open his campaign at Conway and that Senator Berry was cordially invited to be present and participate. Having been confined to the office pretty closely by reason of the fact that the work had to be done, I figured that as long as the Governor was getting the office, it was my duty to see that it kept going. Therefore, I had but little opportunity to hear him, but he insisted that I accompany him to Conway for the purpose of studying the effect of his address upon the audience. It is needless to say that he was compelled to speak out in the open for there was no building large enough to accommodate the crowd. There were as many people gathered as he

could possibly reach with his voice and he was enthusiastically received.

The Governor evidently realized that the campaign was going to be rather tame, that Senator Berry was in no physical condition to make the kind of a campaign in which the governor indulged, and he looked around for the purpose of discovering what pep he could add to it. Behold! an inspiration came to him. Robert L. Rogers, then Attorney General, was a candidate for Governor and the relations between Rogers and Davis were as friendly and congenial as that between an angry bull and a red flag. Each of them had said all the unkindly things about the other their vocabulary would permit, without any fear of being prosecuted for slander, and the Governor would have made any sacrifice within his power to defeat Rogers. He laid his plans for an active support of the candidacy of J. Sebastian Little, who had for many years represented his district in Congress, his home being in Sebastian county, and like Senator Berry, one of the best loved men in Arkansas. A campaign of vituperation was a method entirely foreign to the gentle and peaceful son of Sebastian county. His physical condition did not permit or justify him in making the kind of rugged and forceful campaign his able and elequent opponent was making. He attempted on several occasions to withdraw from the contest and on one occasion, was out of the race for nearly three weeks, but by entreaties and urging and begging, Governor Davis induced him to re-enter the contest, inasmuch as no publicity had been given his withdrawal. This is a little of the unwritten history of that campaign. Inasmuch as the Governor did not have his opponent to shoot at each day, he dipped into the race for Governor as a side issue with the same reckless abandon that characterized his former contests, and to the amazement and astonishment of the

public, both Mr. Little and Governor Davis were successful.

I say with the deepest reverence and respect to Mr. Little that Davis' hold on the people was so complete and invulnerable that he could have elected or defeated for any office, any candidate. The people followed him with a confidence absolutely sublime. They would have elected as Governor any person whom Davis would have named.

While the keynote of this campaign was sounded at Conway on the 4th of July, yet with shrewd foresight he saved himself for the real speech of the campaign until he reached Senator Berry's home in Bentonville on December 2, 1905. He looked forward for weeks to his Bentonville speech. In prize fight parlance, it is called carrying the fight to the other fellow's corner. He wanted to beard the lion in his den, to terrify him in his own home. Can anyone conceive of such supreme confidence? It knew no barriers nor limitations and this confidence, together with other qualities of political statesmanship, carried him through this campaign which was not so decisive as the figures will later show. He accused the Senator of speaking at appointments without consulting him, hence he invited the Senator to meet him in the Senator's home town. He said when he assumed the office of Governor the state owed \$64,000.00, now it owed nothing and had in the treasury money and securities convertible into cash, worth \$3,855,000.00. The Governor failed to explain that the three million of securities mentioned, consisted of school bonds which belonged to the common school districts of the state and which the state *owed* and not *owned* and which was a liability instead of an asset. But then no one asked him for a more detailed statement.

He then attacked the Senator on his position on the

cotton futures bill, which he would have done no matter what the Senator's position was or might have been. The Senator did not have a chance. He was damned if he did and damned if he didn't. The Senator accused him of injecting too much politics into the state, turning brother against brother and constantly stirring up strife and turmoil.

The Governor's answer was a political classic. He said, "How do you ladies in the audience make butter? Do you make it by setting your churn in the yard and letting it set there all day? No, you take the dasher and stir it, and stir, and stir, and then you get golden, yellow butter. How does God purify the atmosphere? By lightning. This is the only remedy he has provided. It may kill some men but that is the only remedy. The Master says, Agitate—stir.' Purify your water by sterilizing it. It gives it strength and vitality. But you do not stir a well that has mud in it. But take the water-bucket of truth and go to the very bottom of every well of public transaction and stir it up. The Senator has not seen any politics yet. I have not started."

How could any one successfully cope with this political sophistry on the stump before the average audience? His home-spun logic seemed unanswerable.

He characterized the statehouse matter as a steal. He then attacked Bob Rogers, who was running for Governor, renewed an old attack on Powell Clayton, by telling how he refused to sit at a banquet with President Roosevelt because Powell Clayton was a guest; said the state farm was full of miasma, frogs, tadpoles, pestilence, disease and Johnson grass, and the penitentiary was "as rotten as hell" under its present management. Discussing the penitentiary appropriation bill he said, "One Saturday afternoon I felt a veto spell coming on me. And I vetoed \$150,000.00 of

this foolish, reckless appropriation before I went to supper; when I came back I vetoed more. I said to them, Gentlemen, you can steal what the 800 convicts make, but I swear by all the gods in the calendar you shall not steal and use in riotous living, the money of the people of Arkansas. That got them mad and the gang is mad today, because I dehorned the crowd in Little Rock." He then defended his pardoning record again, saying, "I am always glad to pull a poor, fallen man from this cesspool of filth and corruption, the Arkansas penitentiary, and start him out on the road of right living." After giving illustrations of applicants for pardons he wound up with this story:

"A few days ago I went into my office on Sunday morning; there sat a woman with two little girls, ragged and barefoot. 'Is this Governor Davis?' she asked. I told her yes, and asked her name, she saying that she was Mrs. Harris from Pike county. She was footsore and tired, her shoes were worn and her dress bedraggled. She wanted a pardon for her husband, had no lawyer nor petition and I listened to her pitiful story. He had been convicted of shooting a man. I asked her if the man was hurt and she said, 'Governor, he never "totched" that man.' But my friends, that story 'totched' me and I believe it 'totched' the great white throne of God. The following Tuesday, I examined the case with the result that I sent a pardon to the blue mountains of Pike county which 'totched' that little home and I believe the Recording Angel of God dipped his wing into a fount of eternal gold and wrote to my credit that deed of charity, that act of kindness."

I ask my readers, is it any wonder that in the primary Davis received 67,982 votes as against 55,074 for Senator Berry? Is it any wonder that Senator Berry carried only the counties of Baxter, Benton, Boone, Chicot, Desha, Crittenden, Drew, Fulton, Garland, Independence, Jackson,

Jefferson, Lee, Miller, Mississippi, Nevada, Ouachita, Phillips, Polk, Pulaski, Sebastian, Sevier, Union, and Washington, a total of 24 out of 75 counties.

This contest was much closer than the general results show. For instance, in Union county, there was only 10 votes difference; Nevada 7 votes; Polk 21 votes; Arkansas 13 votes; Baxter 14 votes; Carroll 80 votes; Clark 73 votes; Clay 156 votes; Crawford 130 votes; Cross 37; Dallas 26; Hempstead 99 votes; Hot Spring 150 votes; Independence 145 votes; Jackson 160 votes; Lee 16 votes; Little River 99 votes; Madison 54 votes; Ouachita 88 votes; Pulaski 225 votes; Randolph 78 votes; Washington 110 votes; and a number of counties ranged from 150 to 250 votes difference.

This is an indication of the fact that the Governor had to have all the breaks with him in order to win. I am absolutely safe in saying no other person in Arkansas could have defeated Senator Berry, yet, heedless of the consequence of this election in which his entire career was at stake, his whole future involved, he devoted the larger part of his campaign to encompassing the defeat of Rogers, inviting his attack and that of his friends by publicly urging his own friends to work and vote against Rogers.

As has been shown, the Governor, from his first entrance into the political arena, never acquired an office without opposition, and if necessary he created opposition in order to make the race interesting. He craved it, sought it, prayed for it, conscious of his impregnable position with the rank and file of the voters of this state. In only one contest was the result to him ever in doubt and in only one contest did the fear of defeat enter his heart, but that we shall discuss in a subsequent chapter.

It is difficult for me to accurately analyze the psychol-

ogy of Jeff Davis, whether he was imbued with supreme confidence in himself or whether he did not know what political cowardice was. It is difficult to solve this problem. Here he was in the most critical campaign of his political career. He was running against perhaps the most beloved office-holder the state had ever known, a gallant one-legged ex-Confederate soldier whose social and political life was above the slightest just criticism, beloved both in the nation and in the state. Perhaps not a heavy man intellectually, but a safe man in the United States Senate. The entire future of Jeff Davis hinged upon this contest. All men in running for office either national, state, county, or township, cannot be forced into taking sides in any one else's campaign for fear of making enemies. This is political logic. Here was Attorney General Rogers running for Governor against one who was far weaker than he politically, was far better known over the state, was not only an able lawyer, an eloquent speaker, but a man who had a strong following of active political friends. There were no political issues in that contest that had the slightest bearing upon the Senatorial race, nor any apparent justification upon the part of Davis, for taking sides therein, for there was not the slightest community of interest between Mr. Little and himself. They were not even close personal friends. It is true that the feeling between Davis and Rogers was strained but Davis with that fearlessness that characterized all his campaigns after his first one for Governor, practically abandoned his own campaign so to speak, and devoted nearly all his time to encompass the defeat of Rogers without the slightest fear of any political reaction or injury to himself. I think this is without parallel in the political life of any successful official and those who study this situation must marvel at the man and concede him to be a politician without a peer.

CHAPTER XVIII.

THE KIRBY-DONAGHEY CONTEST FOR GOVERNOR.

At the organization of the legislative session of 1907, which ended a six-year service in the Governor's office, the Senator moved to the Riegler building in Little Rock, and with me opened a law office. There was to be no session of Congress until the following December at which time he would be sworn in. He had no more campaigns to make for himself until 1912, and there was much time in the interim to be disposed of. Governor Little was unable to administer the duties of his office and X. O. Pindall, president of the Senate, was performing that service. In the summer of 1907, a rumor gained currency that the Governor was passing away and Senator Davis called a conference of certain friends which met in his office to discuss placing a candidate in the field in the event a vacancy occurred in the Governor's office. Such gentlemen as Judge J. H. Evans, Geo. W. Donaghey and W. F. Kirby were discussed. Senator Davis urged certain objections to each of them, however, when the campaign came on in regular order, the race settled down to a contest between Governor Donaghey and Senator Kirby. Senator Davis went to Washington in December, 1907, but in February, 1908, while Congress was still in session, he returned to Arkansas, and on the 18th of February delivered an address at Ozark, in the interest of Senator Kirby. In the meantime prior to delivering this address, the Senator prepared another which he caused to be printed in pamphlet form as the address he intended to deliver at Ozark, and took a goodly number of copies with him. This address covered 40 pages of printed matter and is

perhaps one of the longest printed speeches ever circulated by him. Among other things he said:

“On my second day in the Senate I introduced an anti-trust bill and nine days later bearded the lion in his den and gave the trust interests such a drubbing on the floor of that august body as they shall not soon forget. I came back here to plead with you to hold up my hands. But I can best serve you for the next few weeks in exposing rottenness and corruption and the underhand efforts to capture the state government and despoil our people. * * * (The Senator here copied from his speech in the Senate assailing Rockefeller and Morgan and the Standard Oil.) Ridicule, abuse and villification have been heaped upon me because I stand as the champion of the poor man, the humble rather than the rich and strong. * * *

“A band of freebooters have infested our state capitol, have influenced and controlled state legislation for the last fifteen years. * * * I defy the high-collared roosters who are seeking my undoing and I will not sit quietly by at Washington and permit it. W. F. Kirby is the only candidate in this race who has been my personal and political friend and who would carry out the policies and principles I inaugurated. (Governor Donaghey supported Senator Davis in his race for Senator both personally and financially.) * * * Don't let the Farmers' Union be misled or controlled by its officers. It is said Ben Griffin, its secretary, is trying to control it for Donaghey, that he has been hired to deliver it to him. I believe in unions. I believe it is their duty to organize against tyrannical oppression of capital. * * * If Donaghey was elected Governor he would look up to the rich and opulent. He would be as perfectly controlled by ringsters and politicians of Little Rock, the Board of Trade, as your little boy by you. * * * He is not willing to meet his opponents in

fair open debate. I would not vote for any man who did not have the manhood, courage and ability to meet his opponents face to face and fight out the issues between them. * * * People have sworn that Jeff Davis and Jeff Davisism must be destroyed. First to come forth will be Col. Joseph W. House. Next, W. E. Hemingway, the wet nurse of the last Legislature, then will come George Russ Brown, who says the Farmers' Union is a calamity to Arkansas; then will come the penitentiary gang, the railroad interests, trust heelers, and trust magnates, and, looking away up in the burr of the ear of the old stalking horse, will be found poor little X. O. Pindall, the representative of the penitentiary interests. * * *

The Senator here launched out into an attack upon acting Governor Pindall, charging him with all kinds of high crimes and misdemeanors for opposing Kirby, and then attacked O. C. Ludwig, Secretary of State, for opposing Kirby and among other things said of Ludwig:

"Eight years ago, O. C. Ludwig came to Little Rock with the seat of his pants out, marked 'C. O. D.' It is currently reported and not denied, he has two splendid homes, one in California and one in Texas, and he has become so chesty and opulent, that he is actually the president of a fake fire insurance company, insuring farmers' houses and homes, when they haven't got enough money in their treasury to buy a free nigger a supper. * * * Sister Hinemon has no chance in this race. If I were cartooning him, I would represent him holding a negro baby in his arms, with a placard across his back, 'Exempt from taxes.' Mr. McFarlane will not even be an 'also ran.' * * * Why elect a man Governor that cannot properly and fittingly represent us in a foreign state upon any great occasion, or that cannot meet his Republican opponent upon the hustings?"

It is a matter of public knowledge that Donaghey defeated Kirby in this contest and Senator Davis' diagnosis of Donaghey's strength and weakness was entirely wrong. The Senator was sincere in his belief that Donaghey was neither a speaker nor a politician and perhaps at that time his ability along those lines was mediocre, but he soon developed into one of the best speakers in Arkansas, able to cope with the best of them and no one doubts his ability as a politician. This is said not for the purpose of exploiting him but to show Senator Davis' misconception of the man. No man today will challenge the ability of Governor Donaghey to take care of himself on the hustings or in private debate and his ability as a speaker is considerably in demand. Not that he possesses the arts of the orator, but he has a forceful, logical and convincing style. Notwithstanding the Senator earnestly campaigned the state, he could not succeed in electing Kirby, although his efforts along that line were the hardest ever made for any candidate other than himself. Some unwritten history incident to this campaign may not be amiss and will be remembered by persons who are living today and who could easily verify it, which indicates the Senator's unlimited resources along political lines. The Senator and Donaghey had been friends, the latter having supported him politically. Ben Griffin had been the Senator's close political ally. Donaghey and Griffin lived at Conway where Griffin had his office as secretary of the Farmers' Union. The Senator had to choose between Kirby and Donaghey so he selected the former, and it being his policy never to maintain friendly relations with any one he opposed, he at once fell out with Donaghey in order that he might experience no pangs of remorse in fighting him. He was advised that Griffin was earnestly supporting Donaghey, and realizing he was secretary of the union and as such might materially

assist Donaghey, he not only declared war on Griffin but sought to oust him from his position. He prepared the printed speech previously mentioned, fixed the date at Ozark for February 18, and left Little Rock on the night of the 17th. On the train he met Lewis, the president of the union, told him about Griffin's activities and how much he regretted having to say harsh things about them both, and that he had certain damaging affidavits against Griffin which he agreed not to use if Griffin resigned. Lewis went to Conway and put the matter up to Griffin, who told him that Davis had no such affidavits, that his speech had already been printed for some time and exhibited to Lewis a copy showing his attack on the Union. Griffin then took the train to Ozark, "prepared" physically and otherwise, as the Senator told Lewis he intended to skin Griffin. Griffin took a front seat in the courtroom which was filled to capacity, expecting the Senator to follow the text of his printed speech, a copy of which Griffin had in his pocket. But the Senator mentioned him only once and then not in a derogatory manner. When he finished, Griffin asked permission to address the crowd and though the chairman refused to introduce him and some of the crowd was urged to leave, a large majority stayed while Griffin flayed the Senator for an hour and a half, charging him with ingratitude, infidelity, unfairness, willful misrepresentation, deception and many shortcomings, grave and otherwise. In his speech the Senator also flayed Lewis Rhoton, who was again offering for prosecuting attorney at Little Rock, and charged him with all sorts of shortcomings. Rhoton retaliated by publishing a printed speech. The Senator charged Rhoton with trying to indict him for using free transportation when he says he never used any while in the Governor's office. Rhoton published facsimiles of free passes the Senator used with his signature

on them, showing the Senator had received many passes from Tom Cox, the man whom he had castigated as a boodler and lobbyist, and yet to whom he constantly sent for passes for himself, family and friends. The Senator endeavored to cover too much territory in fighting all his enemies, in this one contest particularly when the people thought he should be at his post of duty.

His plea for Kirby was ingenious in the extreme and masked so as to give it the best possible appearance. It was one of the strongest efforts ever made in the state in behalf of another and would have been far more effective had he confined himself to reasons why Kirby should be elected instead of trying to publicly castigate and flay his enemies under the guise of helping a friend. I am of the opinion Kirby would have fared better in this campaign had he been permitted to fight his public battle alone, with the Senator helping him privately. That Davis could not control his friends is evident by the result, but he made the best effort he knew how.

As has been mentioned, Governor Davis praised his friends lavishly in public as long as they were friends and pilloried them in public whenever they ceased to be political friends. This is illustrated in the case of Governor Donaghey. When the Governor opened his campaign for Senator at Conway on July 4, 1905, he was confronted with one of the largest audiences he ever addressed. This speaking was under the auspices of Jo Frauenthal, who had always been his staunch political adviser and supporter but who also occupied the same relation to Governor Donaghey. Among other things Governor Davis said, "I want you to excuse me while I refer to one of your most distinguished citizens. I want to refer to a man who has stood lone-handed and fought the biggest gang of grafters and thieves that ever invaded our state. He has saved the

taxpayers of Arkansas hundreds and thousands of dollars. I refer to honest George Donaghey, of your own city." In his subsequent attacks on Governor Donaghey in the Kirby race he never undertook to reconcile or explain his seeming inconsistency.

CHAPTER XIX.

HIS ENTRANCE INTO THE SENATE.

The Governor having run the whole gamut of state experience relative to his anti-trust legislation, evidently concluded to take an appeal as also a whirl to the highest deliberative body in the United States, and during the time between his exit from the Governor's office in January, 1907, until his entrance into the Senate in January, 1908, we find him engaged in drawing an anti-trust bill and in the preparation of an accompanying speech.

Up to this time his efforts in anti-trust matters had necessarily been confined to his own local constituency, but he must have concluded that he could as easily justify his position before the entire nation as he tried to do before his local people.

When, therefore, he took the oath of office as a Senator of the United States, he carried in his pocket a carefully prepared anti-trust bill and as equally carefully prepared speech which he later designated as his cob-web speech.

It has been seen that the Senator, as we shall now designate him, was no stickler for precedents. He honored them in the breach, rather than in the observance. A custom prevailed in the Senate by which a new member refrained from speech-making until he had served a reasonable length of time; but not so with the Senator, hence we find that eleven days after being seated in that august body, he delivered his celebrated cob-web speech, after announcing in the press his intention to do so. This is perhaps the first carefully prepared speech delivered by him and on which he had labored for some months. Immediately after its delivery he wired me, "They came to scoff, they

stayed to pray." It created less excitement than it did comment and in widely published interviews he stated he had "swept the cob-webs off the ceiling of the Senate Chamber," an act which he had proclaimed in his speeches before the people that he intended doing. He had stated in his campaign, that if elected, he intended to awaken the Senate from its lethargy and put ginger into it, speed it up and fill it with pep and in his interviews before assuming his seat he served public notice of his intention of so doing. Hence a large crowd, attracted out of curiosity, was present in the chamber and galleries when he spoke. The press rode him unmercifully, attacked his grammar, his language, his style and everything else, but he was imperturbable. He had set the nation to talking and accomplished his object. They knew he was in town. His speech was dissected, shown to be historically untrue, his statistics inaccurate, his language inelegant. For instance he said, "Mr. Roosevelt, I understand, has only five children. I have him skinned a city block. I have eight children and it does not take \$120,000 a year to support me and my family." Again he said, "Is it any wonder they took off the dollar the motto, 'In God we trust'? It is time to take it off. It is time to disconnect God Almighty from the dollar when you have to go out and buy it. I wonder what the Grand Old Party is going to put on the dollar. They do not trust in God any more. I wonder in whom they trust." Again in the course of his remarks he said, "I know two or three men in my state who have absolutely worn their right ear nearly off holding it to the ground listening for the expression of the public sentiment.

"I am for the underdog in every fight. I don't care what kind of dog fight it is. You pick your kind of a dog and every time you see a dog fight you may just swear Jeff Davis is for the under dog in that fight. The Standard

Oil is the old he-trust of the country. I dislike Standard Oil. I hate the smell of coal oil. Petroleum makes me sick. I may present this matter awkwardly and without the necessary dignified address of Senatorial courtesy or decorum, but the meat is there. I challenge any Senator from Maine to California, no matter where he is from, if he will get an audience of his own people, intelligent enough to consider the merits of the bill, and I will meet him, and we will fight this question out before his own constituents."

The Senate did not seem disposed to take the new Senator's bill seriously. Its time seemed to be occupied along other lines. Smarting evidently under the public criticism, he settled quietly down until April 28, 1908, when he introduced a resolution asking that the Judiciary Committee to which his bill had been referred, be discharged from a further consideration thereof. He delivered a speech in favor of his resolution, prefacing it by saying that, desiring to guard against intemperate, unguarded language, he would for the first time read his speech. In this speech he apologized for violating the custom but pleaded mitigation by reason of the importance of the legislation. I was not associated with the Senator at this time and I have carefully read and reread this speech. I don't know who prepared it for it is neither the Senator's style nor language. I know that those who are familiar therewith, such as Judge Bourland, or Senator Clarke, if living, would agree with me. During its delivery the Senator ran to cover a number of times. The Senator from Oregon, Mr. Fulton, asked wherein this bill differed from the Sherman act. Senator Davis replied he would explain before he concluded—but did not. Again he was asked wherein the Employers' Liability Act, which he denounced, was unconstitutional, and the Senator replied, "If the Senator from Oregon desires

me to teach a law school, I will be glad to have him as a pupil." The Oregon Senator answered, "The Senator asked, do I want him to teach a law school? I asked him to teach only me. Before we are asked to enter into that broader field, I should like to see whether or not he really understands the bill."

On January 26, 1909, the Senator delivered his speech on the suppression of gambling in futures in accordance with the promise made on the stump to exterminate the evil if possible. The Senator was on familiar ground, and a careful consideration of this speech reflects the Senator's old-time style. He did not, after this, take much part in the public debates in the Senate but occupied himself with looking after the wants of his constituents, answering their letters, a matter about which he demanded the utmost punctuality, sent out all the seeds allotted him and all he could borrow from his fellow Senators and kept himself in political condition for his next campaign which he realized was to be the one supreme effort of his life. He refused to attend social functions in Washington where a dress suit was indispensable, he refused to decorate his head with a silk hat, and refused to ride in an automobile. Truly, he was preparing for another campaign among the "red necks," as he fondly called his friends.

CHAPTER XX.

THE SECOND SENATORIAL CAMPAIGN.

I approach the Senator's second campaign for the office of Senator with some trepidation. I say this for the reason that the political relations between the Senator and the writer at this time were strained. Some time before this the writer supported O. C. Ludwig for Secretary of State. The Senator was embittered against him and desired to encompass his defeat. The Senator supported Julius Clary, for whose success he was unusually active. However, after a close and hard-fought campaign, Ludwig defeated Clary by a small majority, and then our relations became exceedingly strained. This was specially true when Hon. S. Brundidge announced his candidacy in opposition to the Senator, and requested me to assist him at his headquarters, which were to be in charge of Avery Moore, former Auditor of State, and Joe W. House, Jr. After consideration, I agreed to do so. I make this statement for fear it might be thought I approached this campaign somewhat prejudiced; but it is my intention to record as faithfully as my memory serves and the records reflect, the actual facts without any coloring or otherwise this biography would be worthless. Through it all the writer had endeavored to be absolutely fair and impersonal in an effort to give the public the benefit of his knowledge. This policy shall be continued through this and the succeeding chapters. It is true, no mention has been or will be made of purely personal matters, for those are things in which the public at this time has no interest. The value of this biography is only in its treatment of him as a public character, an official, a campaigner, a leader. At the same time it

may be mentioned that strained relations arose at this time between the Senator and the two closest men to him in Arkansas, John H. Page and Judge Jesse C. Hart, both of whom had been his constant advisers and companions, and both of whom he had delighted to honor, but who through no fault of theirs were compelled to sever relations with him, which were never to be reconciled.

In this campaign the Senator entirely revolutionized his tactics, left the well-beaten paths which had characterized his former campaigns, changed completely his style and methods, but preserved his ingenuity. It will be recalled that in all the Senator's campaigns he experienced difficulty in getting his opponents to meet him on the stump and he severely castigated Senator Berry for refusing to do so. It was always the Senator's policy to plan a long and arduous campaign and completely wear out the opposition. Again, it was a pet scheme of his to dissect the record of his opponent, and no matter how vulnerable or invulnerable it may have been, the Senator always found plausible grounds upon which to assail it, at the same time justifying his own. We have seen that he was a past master at ridiculing his opponent, making light of his efforts and holding him up to scorn.

Stephen Brundidge was a man who had served his district long and faithfully in the Congress of the United States, was a lawyer of marked ability, a forceful speaker, a logical and fearless debater and a man of indomitable courage, standing high among those who knew him best, a prophet with honor in his own country. In his public utterances before the opening of his campaign, he announced that the Senator would not have to beg him to campaign the state; that he could string it out as long as he wanted, and he would meet him at every appointment and would force him to remain and hear him out. He

said he would attack the Senator's record and the Senator was welcome to do likewise to his; that the Senator had hankered for a good, hot campaign and he proposed to see that he was not disappointed, and if rough stuff was the order of the day to count him in on it. Those who knew Mr. Brundidge realized there was going to be something doing and they looked forward to it with an unusual amount of interest. It was a source of considerable speculation as to how the Senator was going to meet this new challenger who proposed to fight him with his own weapons, on his own ground, with no quarter asked nor expected. Here indeed, was a new problem. But the Senator was equal to the occasion. He knew Brundidge was deeply in earnest about everything he said and would stand for no rough stuff.

How the Senator handled the situation is best seen by excerpts from his speech delivered at Morrilton on December 4, 1911, in joint debate with Brundidge. Among other things he said:

"The Washington press, while unfriendly to me and my cause, says while Jeff Davis may be rough and uncouth, he always votes right. Mr. Brundidge attempts to get me into a controversy in which I decline to engage for without some sensation his campaign will die a-borning and his race will prove a most stupendous farce. Mr. Brundidge complains because I will not enter into an extended campaign with him and will only agree to speak with him at four appointments. My reason is obvious. We have had politics in this state that became so personal and abusive that it amounted to a disgrace to the participants. I am not wholly without blame for this condition of affairs and have made up my mind in this campaign to meet him at only four places and he can go his way and I will go mine. In my third race for Governor, the

lines were drawn so tightly between Democrats that it put father against son, brother against brother, fist fights, knock-downs and drag-outs all over Arkansas, and I have determined never to be a party to such a scene again. Again I do not want to drag this political corpse with me all over Arkansas. I want to make a hasty, speedy, campaign. The press of this state belittles my efforts. They say I am not making the aggressive, fire-eating speeches I made in former days. I hope that time will so temper my disposition, will so cool my enthusiasm and so control my judgment that I may make a more manly, dignified, statesmanlike campaign during this race than I have ever made before and I intend to pitch it upon the highest ground possible and keep it there if my opponent will let me. I do not propose to wallow in the slime of personal abuse and if we campaign the state it will result just as my third race for Governor did. He says I will not attack his record. He hasn't enough of a record for me to attack. I don't care anything about his record. I don't suppose he amounted to enough in Congress to make a record. I don't suppose anyone but the janitor and paying clerk knew he was in Washington while a member of Congress. You ask any man, woman or child in the United States today who is the Senator from Arkansas and they will tell you Jeff Davis. Ask them who used to be in Congress from the Second District and nobody except God Almighty, the janitor, and paying clerk knows. After Vardeman won his race for Senator I saw in an Indianapolis paper this: 'With Jeff Davis, the wild ass of the Ozarks, racing around Washington in a taxicab and Jim Vardeman headed that way, it looks like there is going to be a mighty hard frost this winter. I am not interested in whom you elect Governor, I am no longer engaged in the business of electing Governors. I made such a mess of it when I attempted to elect

Kirby and you made such a mess of it when you refused to accept my advice, that I have quit attempting to elect Governors. There was plenty of money in the treasury when I left it and if succeeding administrations could not run it without the Turner-Jacobson Bill, then I say Arkansas is in a pitiful condition. In less than five years after I ceased to be your Governor Arkansas is nearly a million dollars in debt."

Sufficient excerpts have been quoted from his speech to show a complete change in procedure. It may be true that association with dignified members of the most dignified parliamentary body on earth may have had its softening influence, or perhaps time had mellowed his retrospect. Perhaps he looked with awe over the terrible combats he had waged in his ascent up the mountain of political success, and had determined that the eternal fitness of things demanded a more conservative course; that while he had been a state character, he was now a national character and as such must preserve certain ideals that ought not to be ruthlessly trodden down. If he was inspired by fear of his opponent, he splendidly disguised it with plausible reasons. But many, knowing his pleasure in mixing it with his opponent, and in a political ring never giving ground, felt he was beginning to lose his punch, by refusing the style of combat he had invented and used so effectively against all others. I know that he steadfastly kept out of the Governor's race until near the finish, an unusual thing for him to do, but he unquestionably had troubles of his own. For the first time in his career the fear of defeat entered his heart, for on the eve of the primary he made peremptory demands upon his friends over the long distance phone for help of any kind. There is no question in the writer's mind but that if the primary had been held two weeks sooner, without the Governor's race being then

injected into it, the result might have been wholly different. As it was, Davis polled 72,005 votes to 62,369 for Brundidge, a difference of 9,636, or about 6 1-2 per cent. In this contest Brundidge carried 30 counties to 45 for Davis, more than he had ever lost in a campaign. The difference in many counties was as follows: Arkansas 121; Carroll 130; Chicot 58; Clay 30; Cross 54; Craighead 160; Desha 15; Faulkner 132; Franklin 77; Garland 132; Greene 57; Independence 134; Jackson 35; Johnson 183; Lawrence 109; Lafayette 46; Newton 65; Randolph 124; Searcy 49; Stone 20; Madison 92; St. Francis 140; Sharp 117; Marion 63. Davis carried White county, the home of Brundidge, by 234 votes, and Brundidge carried Pulaski, the home of Davis, by 557 votes. Brundidge made his greatest gains in Eastern Arkansas, carrying Phillips by 1,581 to 385; Lee 597 to 348; Mississippi 1,391 to 608; Crittenden 619 to 76, and Poinsett 929 to 715. This was evidently the result of the sunk lands fight, which created a furore in Arkansas. Congressman Oldfield had challenged statements and actions of Senator Davis and the Senator challenged a statement he is supposed to have made before a Senatorial committee and about which he stated that if he said what was attributed to him, he was either drunk or crazy. In this same contest Robinson defeated Donaghey by a vote of 90,520 to 46,701.

Davis' majority in 23 counties was 2,242 votes, so that a difference of 1,200 votes would have changed the result.

As an evidence of how the action of the Senator was regarded in this campaign, we reproduce a few excerpts from some of the leading papers of the state.

"The unprejudiced mind, be it pro or anti-Davis, is bound to admit, as the Senatorial campaign progresses, that the fight between Davis and Brundidge is by no means a one-sided affair, and that the erstwhile indomitable

Jeff is in real danger of losing his Senatorial toga is being admitted by even his staunchest friends. In fact, his staunchest friends of the past are deserting his ranks and are either openly espousing the cause of his opponent or remaining luke-warm in their support of Senator Davis. When such men as these desert the ranks and join the forces of the enemy—men who have been closely associated with him and are in the closest touch with his career, past and present—people begin to sit up and take notice, and the lesser lights are not so enthusiastic in behalf of their former chief. Newspaper reports in the various towns where Davis has filled speaking dates show that the royal receptions and general enthusiasm which in the past has greeted his every appearance is lacking in this campaign—and we believe in most cases these reports are unprejudiced, fair reports of the occasion from a newspaper viewpoint solely. And summing up the situation from the same point of view—that of the unprejudiced chronicler of conditions as they may exist—we are forced to the conclusions as previously expressed that Senator Davis will have a real run for his money in the present campaign.—*Russellville Courier-Democrat*.

“In his manner of speech-making, however, the Senator has calmed down wonderfully since his former campaigns and he utterly failed to arouse any enthusiasm in his audience. There was no demonstration whatever when he arose to begin his address and not more than three times during the course of his remarks was he applauded. It is very evident that the Senator has lost much of his prestige in this county.—*Pocahontas Star-Herald*.

“To the Hon. Jeff Davis:

“Your opponent, Mr. Brundidge, has offered and repeats the offer, to post \$2,000.00 to pay every cent of your expense to terminate the Senatorial campaign in joint de-

bate. You have absolutely ignored the state-wide demand for a joint debate; you have declared you will not re-enter a joint campaign. Why?

"You say Brundidge cannot draw a crowd; that he is a political corpse. You pride yourself on your mustard plaster ability to draw. Why is it then that your addresses in the halls of Congress have drawn only empty seats and have usually emptied the spectators' galleries?"

"You condemned George W. Donaghey for declining to debate with Mr. Kirby four years ago in the gubernatorial campaign. In 1905 you denounced that crippled old veteran Senator Berry for not joining you in debate in the Senatorial race at a time when you well knew that distinguished public servant was physically unable to meet your demand.

"Why the change, Mr. Davis?"

"Your present opponent has made the charge that while Governor of the state of Arkansas you rode on free passes on the Iron Mountain Railway. You may plead the statutes of limitations on this charge, but nevertheless it is a most serious one and one which the people demand an answer from you. You have never answered this charge. Why?"
—*Fort Smith Southwest American.*

CHAPTER XXI.

AS A POLITICIAN.

It may be truthfully said that Jeff Davis revolutionized the political methods in vogue in the Democratic party of the State, and organized a system of campaigning which for him was successful but for others that followed, proved troublesome and expensive. In discussing this matter we must bear in mind that Senator Davis either wilfully and deliberately or unintentionally antagonized the powers that had previously dominated the Democratic primaries. Prior to 1900, when the convention system was in vogue, it was the custom of candidates for state offices to visit the county seat, trek for the court house, meet the county officials and perhaps a few of the leading merchants and lawyers of the town, and then depart for the next town, much as a traveling man works two or three towns a day. At some places perhaps arrangements were made for a speech if the candidate happened to have a good many friends there. In addition to this some honorarium was left with the leading newspaper of the town for a write-up prepared in advance by the candidate. It would seem, then, that the success of a candidate for a state office depended upon what was commonly known as the courthouse or county seat ring, as the rank and file of the voters of the county were little interested outside of their county officers. There were scattered numbers who, perhaps, knew the name of one of the candidates for Governor so they were usually voted on state officers by the politicians in the courthouse. Jeff Davis inaugurated the method of stump speaking in this first campaign which afterward carried him through all of his political successes. He made a

direct and characteristic appeal to his people, to the "one-gallus boys," as he termed them, "the boys who live up the forks of the creek." He carried Howard county, the first county to hold its primary in his first race for Governor, and shortly afterward they moved down to Ashley, where the next primary was to be held. Davis needed but a slight advantage by reason of his power to magnify into large things and here the opportunity arose by reason of the fact that Mrs. Davis was born in that county, and he made ample use of it. I recollect him appearing before a large audience with a spot of mud on his shirt acquired by traveling through the Bartholomew bottoms after a hard rain. He pointed to the spot with pride and dramatically declaimed that he had deliberately preserved that spot of dirt gotten from the Bartholomew bottoms as a token of his love and fealty for that locality, by reason of the fact that his wife was born there, and promised eternal fidelity to her citizenship. It is needless to say that he carried the county. Finally only Vandeventer was left and at each place Davis would tell his audience that his opponent reminded him of a turtle a fellow once caught and decapitated, and took home to his wife; and she asked him why he didn't kill it before bringing it home, whereupon he assured her that "the damn thing was dead and didn't know it," and said that this was the same attitude in which his opponent was placed. The result of this election proved the truth of the statement, for Davis carried 74 out of 75 counties, and then a great cry went up throughout the state for a uniform primary day. Davis also inaugurated the system of printing his speeches for circulation throughout the length and breadth of the state, and in this campaign he distributed 125,000 copies. A portion he mailed out, some were sent by express, and a large number were delivered by

him in person. He always caused to be sent to him a large package by express at every speaking place, then carried his grip filled with them, distributing a copy to every person on the train and threw out a bunch at every station passed. With such eagerness were they sought that he often remarked that he could sell them at 25 cents each. In this campaign he also viciously attacked the press, the merchants and the politicians, and prepared himself for their future combined opposition.

Jeff Davis realized that the time was at hand when he would be required, after inviting an attack by the press and politicians, to go direct to the people, something that had never been done before and his campaign was planned along those lines. In the next one he arranged it so he would have ample time to make a thorough campaign of the state. This he did, and went into each county, and in most counties made a fairly thorough campaign, so much so, that he arranged to reach in person, every voter in the county. Then by personal appeal, he organized them into a solid mass against the press, the merchants at the county seat, and against those who had theretofore dominated state politics in that county.

If it is a fact that Senator Davis had a hold upon the so-called country people that could not be broken, that he was loved and revered by them, that their confidence in him was incapable of being shaken; let it be remembered that up to the campaign of 1901, the vast majority of the people of Arkansas had never had an opportunity for seeing the Governor, and when Governor Davis went into their little rural communities in person, they were awed and pleased by seeing a man representing more political power than any other man they had ever seen. He represented their commonwealth and he put himself upon a level with them. He shook their hands, ate

their corn and meat, chewed tobacco with them, played with the children, and told them stories. They afterward got his speeches which they thought came direct from his own hands, and were asked to read them and hand them to their neighbors, which they never failed to do.

Is it any wonder, then, that he had such complete hold over them? Did he not come into their little communities and tell them out of his own mouth that he was their friend, that the powers were trying to enslave them, that he alone could save them? They believed it. Why should they not? Their faith in him was sublime. Why should it not be? Whatever else may be charged against him, he can never justly be accused of bad faith toward the masses of the state. He pledged them in the beginning his fidelity, then he religiously adhered to this pledge, and they followed him as blindly as the French soldiers followed Napoleon.

Is it any wonder, then, that in the future he was able to turn and twist and order and direct this vote as he absolutely willed? It was his, body and soul, and he could with perfect safety rally them as was perhaps never done in the annals of politics, and never will be again. "I want you to vote for Jas. P. Clarke for Senator if you are my friends. I had rather see him elected than to be elected myself," he told them. The reason is clearly apparent why, in a contest of his own, he could practically forsake his race, as he always did, and go out and make speeches for another and get by with it. Is it strange, in the light of the unshakable affection the people had for him, of the blind confidence in his wisdom and judgment, that he could sway them to his own will whenever he so desired?

I do not believe I am violating any confidence or doing an injustice to the memory of either of these two dis-

tinguished gentlemen, when I say that Senator Davis feared but one man on earth, and that was Senator Clarke. Perhaps fear is not exactly the proper word, and we may substitute for it, respect. His confidence in Senator Clarke, at least up to the time of the break, was childlike, and he trusted absolutely in Clarke's judgment in all matters. He did not publish a speech unless Senator Clarke first censored it, nor did he take an important step without first consulting him. I have often heard the statement made that Clarke owed much of his success to Davis. This may or may not be true, but it had its root in a certain amount of what may be called political selfishness, or political acumen. Senator Davis realized that Eastern Arkansas was absolutely dominated by groups, and that a direct appeal to the people would avail but little. He also realized that Senator Clarke, for years a resident of Eastern Arkansas, was extremely popular with those groups and could control the situation, while he (Davis) could do nothing with it, therefore it was the part of good politics to join forces with him, and he made an offensive and defensive alliance to that end. The result was that he obtained a following in that section through Senator Clarke that he could not otherwise have secured, and it meant much for the political future of both. I say this in the defense of both these men. I have heard Senator Clarke on many occasions outline a course of action which Senator Davis invariably followed. Even if he disagreed with him, he deferred to Clarke's judgment. Senator Clarke was always tolerant and patient, but never hesitated to speak out his mind in no uncertain language.

In this connection I think back with a great deal of pleasure of the opportunities accorded me to sit for hours in the presence of these two distinguished citizens of Arkansas and listen to them discuss matters of grave im-

portance to the state. Senator Clarke was a veritable encyclopaedia when it came to the history of Arkansas. Particularly for the last twenty years he knew the history of each piece of important legislation enacted in the state and Senator Davis never undertook to deliver a message to the General Assembly without going over it in detail with him. Often Senator Davis would consult with him with reference to the vetoing of some measure and on important ones Senator Clarke would prepare the message. This had particular reference to his first term and part of his second term as Governor. The respect that Senator Davis had for him might be gathered from the fact that perhaps no other man in the state save Clarke, could have escaped the criticism of Davis. After accepting employment by certain holders of the old Holford bonds repudiated by the state, Senator Clarke believed it was no less than his duty as an attorney to represent the owners. This necessitated a trip to New York where lived the bond-holders, and where it was necessary to take the evidence. This trip we all made together, stayed at the same hotel, but never after that in the political campaigns waged by Senator Clarke was this matter ever referred to by Senator Davis. I am satisfied if anyone else except Senator Clarke had brought this suit against the state, Senator Davis would have scourged him from one end of the state to the other. I have thought that if these two gentlemen had forsaken the field of politics and gone into the practice of law, Clarke with his profound knowledge and Davis with his ability to get business and sway juries, there would have been no limit to their financial returns.

CHAPTER XXII.

HIS HOME LIFE.

However belligerent or aggressive Senator Davis might have been in his political or legal profession, it was dropped at the threshold of his home. It was my pleasure to have been intimately associated with his home life. He was gentle and affectionate, so much so that he left nothing to be desired. It was not my pleasure to know his second wife and what allusion I make to Mrs. Davis is made with reference to his first wife. I am persuaded that he drew a great deal of inspiration from her. She was the highest type and the most complete exemplification of what is termed in every-day parlance, a Christian woman, strong in her religious predilections, a woman with an intense sense of justice, and a keen sense of discrimination between right and wrong. An artist might have done justice to her with palette and brush, but I find my vocabulary too limited to attempt a word picture of this, one of the most wonderful women it has ever been my pleasure to know. I am sure that she would have much preferred the simple life that she loved, surrounded by her family, than the glare and glamor of a state or national life, for I often heard her so state. She was not a society woman in the usual acceptation of that term, but found her greatest pleasure in being surrounded by her family. I know that Senator Davis discussed important things with her and relied implicitly upon her judgment. She never permitted herself to become enthusiastic over his contests or his victories; however, being in a contest, she was always interested in the turn that was taken and often consulted me about the matter. Their affection for

each other and their children was sublime, and no demands made upon them were too great but what they attempted to comply with them. I know the strength of her affection often sustained him when the political horizon became cloudy, and she was the ray of light through which he looked into the political future.

From my association with Senator Davis, I draw the conclusion that he lacked either the inclination or time to study. It has been frequently said that if Davis had been a student in connection with his natural ability, the limitations of his mind would have been endless. This is hard to tell. It has been demonstrated that when one loses his sense of sight, his hearing becomes accentuated and vice versa, and it may be that if Senator Davis had been a student, he might have lost some of his natural ability; however this cannot be determined. It is a fact, nevertheless, that he read little and what he did read consisted of the lightest fiction. He was a great believer in the stories that he learned from his school books, notably the fifth reader and even in the Governor's office, I have seen him ponder over this book or read a simple novel. He cared nothing for classics. Even as a lawyer he did not study much but had a remarkable conception of the fundamental principles of law. If he did not know what the law was, he was indeed a remarkable guesser or knew what it ought to be. Even in trying a civil case, without special preparation as to the law of the case, he prepared his instructions and they were so nearly correct that they were given with but slight modification.

I remember the day we argued the celebrated "anti-trust" case before the Supreme Court. If I remember correctly, Judge J. C. Hart, now a member of the Supreme Court, and I looked up the authorities. At the time lawyers were permitted to read to the court from their law

books. I had a large array of books brought down, none of which had ever been examined by Senator Davis. When we got up to argue the case, I would simply hand him the book open at the case and he would read the syllabi—for the first time and then proceed to argue the same. Very few would or could realize that he had not given the matter deep attention. He had outlined in his mind to begin with what kind of an argument he intended to make and pursued that course. It was in this case that, during the course of his argument, he became extremely warm and asked the court through Chief Justice H. G. Bunn, who was presiding, whether or not he could remove his coat, saying that he was not used to wearing his coat, and was told that the dignity of the court had to be respected. Speaking of coats, it has been said that Davis availed himself of every opportunity to remove his coat so that the public could see that he had only one gallus. This is a decided mistake. He never could do any work with a coat on regardless of where he was, and every day as he entered his office he invariably removed his coat at once and worked in his shirt sleeves until he left the office. In this connection, his clothes and linen were always spotlessly clean. It is true that he had a special kind of cloth that he had tailored into suits that resembled the Confederate gray, but his clothes were always tailored and I have told him a hundred times that he would look better, that his general appearance would be materially improved, if he wore a black Prince Albert, but he would never depart from a Confederate gray and his Stetson slouch hat.

Senator Davis had no false idea of modesty nor had any member of his family. When he entered the Governor's office the custom of ladies working was not as prevalent as it is now, but he at once placed his eldest daughter, Miss Bess Davis, now Mrs. Jos. Rosenberg, as

stenographer. While it is true that the care of the children devolved mainly upon Mrs. Davis, yet the Senator was interested in all their activities and was a kind and indulgent father who was exceedingly proud of them. He carried out the democratic instincts in his home when he moved to Little Rock just the same as they were at the time he lived in Russellville in their little humble cottage, for being the Governor made not the slightest impression on him so far as his home life or friendships were concerned. What I mean is that he did not have the slightest tendency toward being egotistic and the size of his head never got larger by reason of the political honors paid him. He took a keen interest in his home and loved to see it beautified and was very fond of nice things and as a rule selected his own furniture, rugs and things needed in his house for he was very proud of his home and loved to entertain his friends from the country whom he always took to his home.

CHAPTER XXIII.

SOME INCIDENTS IN THE LIFE OF SENATOR DAVIS.

As I have mentioned before, it is regrettable that the writer had not the foresight to make a record at the time of the many funny things that occurred showing the characteristics of the man, but at that time the writer had not emerged for any length of time from the ranks of the hill-billies and must confess that the incidents seemed then to him more or less trivial. There is an old saying that no man is a hero to his valet, and I rather early in the game graduated from the ranks of hero worshipers and while my admiration and esteem for my principal and, you might say, employer, was deep-seated and profound, I was not always in sympathy with some of the methods he pursued.

The Senator's opponent in his candidacy for Governor for the second term was the late Col. E. W. Rector of Hot Springs, than whom there was no more cultured or refined gentleman and who typified in his every action the best traditions of the South. When Governor Davis learned that Colonel Rector was a guest at the Gleason Hotel, he sent me there to have a conference with him regarding the fixing of dates and places for a joint speaking tour. Learning that the Colonel was in his room, I sent up my card and received in reply a very courteous note saying that he was then taking his bath and when he finished he would be glad to come down and see me. The note not indicating when that event was expected to take place, I took the note back to the Governor as my alibi for not complying with his request, never attaching any further significance to the same. But Davis immedi-

ately grasped the political possibilities which fortune had thus strangely thrown into his hands, and as long as they continued their joint debates, Governor Davis used this note to ridicule the Colonel, saying that if the Colonel was elected and one of the boys went into his office to see him on official business, he would have to put on a full dress suit, send his card in on a silver tray and wait until the Governor could take a bath before seeing him. Naturally, it took with the crowd.

Another incident of this campaign I recall was when Governor Davis sent me to Hot Springs to confer with Judge Leatherman, who was acting for Colonel Rector, to arrange speaking dates and places. Davis had prepared a list of places to start the campaign where he was strongest with the people and insisted on my getting this through so he would have an advantage from the start, have the crowd with him and thus leave the impression all over the state that it was all one-sided. The other side knew this and we did considerable fencing, finally compromising on a fifty-fifty basis, but we secured the opening place.

About this time the Governor was addicted to the Wizard Oil habit. He believed that its free use helped him and would frequently pour a quarter of a bottle down his back until his clothes would be drenched with it, and usually put about a teaspoonful in a tumbler of water which he drank while speaking, to keep his throat moist and strong. They spoke, as I remember, at Walnut Ridge and after the Governor had made the opening speech, Colonel Rector got up to reply. Before starting, he filled a tumbler half full of water and as he was speaking, Governor Davis poured a lot of Wizard Oil into the Colonel's glass. After he had been speaking several minutes he found it necessary to refresh himself from the tumbler and without noticing it had been doctored, took several

swallows of the mixture and immediately began to cough and sputter to the great delight of the audience. It is needless to say that the laugh produced destroyed absolutely the effect of his speech, everyone agreeing that the Governor had pulled off a cute trick.

An incident worth mentioning took place at Morrilton. J. E. Wood, at that time editor of a paper at Marianna, was very bitter in his opposition to Davis, both in print and otherwise, and left no stone unturned to brand Davis as a demagogue, blatherskite and other names equally as kind. He hated Davis with a venom that was sublime. On various occasions he had challenged the Governor for a joint debate but the Governor had always responded that it took all his time answering his political opponents and that he had no time for sapheads or squirrel-heads, as he termed the editors. Finally, goaded to desperation, Senator Wood announced that if in order to meet Davis in joint debate it became necessary for him to become a candidate for Governor, he would do so and a joint meeting was arranged in the town of Morrilton. Those who knew Senator Wood were thoroughly aware of the fact that he was absolutely fearless and aggressive, ordinarily well able to take care of himself in any kind of a debate, but the fact nevertheless remains that he was unfortunate in agreeing to meet Davis in Morrilton, in a county adjoining that of his home. Prior to going to Morrilton Senator Wood had prepared his address and left a copy with the *Arkansas Democrat* so that it would appear in print the same afternoon of the debate. The Governor thoroughly understood the temper of his crowd and in his opening address before a large concourse of people assembled in a grove just east of the town, he made a dignified and plain presentation of the issues and defense of his own record as an official. When Senator Wood got

up to reply, he for a time pursued a dignified course, but as he warmed into his subject, he could not permit his intense hatred to lie dormant and he became aggressive and sarcastic in his references to the Governor. The crowd began to get impatient and asked questions, and to hoot and jeer, all of which filled him with the deepest resentment, whereupon he started in to abuse and villify the Governor as he had been doing in his paper, whereupon the crowd began to get rough and to congregate around him. I was seated on the ground talking with the Governor while this was going on and having been raised in Morrilton from childhood, I knew that in times of peace no more generous or peace-loving people abided anywhere than in that town, but I also knew that hell hath no fury like the good people of Morrilton when aroused and I suggested to the Governor that he had better intercede. He immediately stepped on the stage, quieted the crowd and urged them to hear Senator Wood regardless of his onslaught. But the Senator had his dander up and immediately began to assail the Governor in one of the most bitter arraignments I ever listened to, whereupon the crowd started after him, forced him to stop and he was escorted back to the hotel. It was said that he immediately telephoned the *Democrat* that he was howled down by a mob and to cut the speech of at page 16.

It has always been charged that Davis had no physical courage. Be that as it may, no man can justly accuse him of having lacked moral courage and I have seen him tempt fate on occasions that would deter those who have the reputation for being fearless. I recall an instance where he was billed to speak at a certain place and discuss a certain proposition. Notice was served on him that if he made certain statements he would be summarily ejected from the platform and enough force would be used

to accomplish it. After obtaining local protection, he proceeded to make his speech just as he had planned it and we afterward learned that if he had not taken the precautions mentioned, a serious difficulty, perhaps even bloodshed might have resulted, although perhaps no one in that large audience had the remotest idea that the atmosphere was filled with tragedy. The reader will recall that in his various campaigns he had physical difficulties, notably the one with Judge Carroll D. Wood at Hope and Hugh Dinsmore at Fayetteville. I have often concluded that his star of fortune continually hovered over him and that very few, under like conditions, would have escaped this constant thrusting of his head into the lion's mouth.

I know that he was a great believer in his lucky star and during the time I was associated with him, he never entered a campaign with the least doubt as to its favorable termination. I recall three different election days, while his political fate was hanging in the balance, we sat in the office and he would ask me what I thought of the situation, my answer always being in glittering generalities. Whereupon he would say, "Get a sheet of paper and pencil and I will write down the counties I am going to lose." He not only did this but thereupon proceeded to estimate his vote in each county he expected to carry and it was seldom that he ever missed the situation by more than one or two counties. In fact, his prophecies were uncanny, evidencing an intimate knowledge of local conditions in every county in the state. This was unquestionably due to the fact that he had made a close canvass in person of all of these counties and knew the strength of the factions, both for and against him. In fact, he was a human barometer when it came to registering the public temperature.

I recall another incident in connection with a very

large reunion held at Galveston, designated as "The Settlers' Homecoming," or something of that kind. Governor Davis was invited to address the meeting, and in company with Mrs. Davis and Mrs. Jacobson, made the trip. At that time Texas was in about the same financial condition as Arkansas except that Arkansas, instead of having money in the treasury, had over a million dollars worth of bonds which belonged to the common schools of the state representing money belonging to the schools which the state had expended for its own use. What I mean to say is, that instead of this million dollars worth of bonds being an asset of the state it was a liability on which the state each year paid into the school fund the interest. During the course of his speech, Governor Davis had occasion to comment on the condition of the Texas treasury and then proudly referred to the fact that Arkansas not only was out of debt but had a million dollars in bonds lying in its treasury and that he, as Governor, would be glad to lend the state of Texas a million dollars if it so desired. The Governor correctly stated that there was a million dollars in bonds in the treasury of the state but he inadvertently omitted to say that the state "owed" that million instead of "owning" it.

I recall an incident connected with a pardoning matter. The Governor was being severely criticised for the free use of his pardoning power and yet, at the same time, had made many promises to various friends, and to one in particular who desired a pardon which, if granted, would be rather difficult upon the part of the Governor to explain. The case was rather aggravated, however, yet some justification existed for clemency. The Governor hit upon a novel plan. A certain prominent minister of Little Rock was interested in social welfare, so the Governor had the family of the convict come to his office on a certain day

at which time the minister was invited to be present. Naturally, the scene was harrowing, but we had passed through so many of these scenes that we were perfectly familiar with everything that would be said or done by the members of the family. It naturally had a very sentimental effect upon the minister. After it was over, the Governor turned to the minister and said, "Now, there is not much justification on the merits in this case calling for clemency, but what would you do in a case of this kind under the circumstances?" The minister who, rarely if ever, had come in contact with such conditions, promptly answered that he would grant a pardon. The Governor quick as a flash asked him if he would write a letter recommending the pardon and the minister stated he would. The Governor well knew that his action in the matter would be subject to adverse criticism by his opponent whoever it might be, and sure enough, it came and the Governor permitted his opponent to wax eloquent in his criticism of his unjustifiable conduct in granting clemency and then at the psychological moment produced and read the letter. It is sufficient to say that his opponent never again referred to this pardon.

It has been stated elsewhere that during the Governor's campaigns, four in number, made while he resided in Little Rock, he studiously avoided any conduct that would lay him open to the charge that he was mixing and mingling with Little Rock's silk-stockinged and high-browed population. As a result, the Governor failed or refused to be wined and dined and cotillioned and receptioned, nor would he permit the indulgence of these conventions in his own home. After he had been a member of the Senate for some time, a surprising article appeared in the society columns of the Little Rock papers announcing that a cotillion was to be given at the Davis home. That it was

a decided shock to the hill-billies is evidenced by an article appearing in the *Morrilton Democrat* reflecting the sentiment of the country press, and one worthy of reproduction. It is as follows:

“JEFF’S COTILLION.

“In the society columns of the *Little Rock Gazette* of December 28, 1911, was recorded one of the great events of Little Rock society. It consisted of a cotillion given by Senator Jeff Davis at his magnificent home. The rooms were decorated with Killarney roses and Little Rock’s four hundred turned out in swell evening dress while Jeff with his evening dress and kid gloves received the guests consisting of Little Rock’s young society citizens. A list of the guests followed but no names of red necks and hill billies appeared.

“Think of it, ye rural supporters of the omnipotent Jeff, the original Jeff, the hero of many a bloodless battle with the octopus, the heretofore enemy of predatory wealth, the immortal foe of the high-collared silk-stockinged brigade, the champion of the rights of the common people, who went to Washington wearing wool socks, patched breeches, brogan shoes and a flannel shirt, a piece of corn bread tucked snugly away in his bosom and a bottle of wizard oil in his saddle bags, entertaining with a cotillion to the high-collared roosters and not a red neck present. Explain yourself, Jay, lest we forget.

“Is this the same Jeff who is telling us that when invited to address the Wall Streeters at the Waldorf hotel in New York as their guest he denounced predatory wealth, refused to appear in evening dress? Is this the same Jeff who was so unjustly accused of riding in Washington in an automobile when as a matter of fact it was a taxicab he rode in? Is this the same Jeff who for many years denounced the gang at Little Rock, charged them with being

high-collared, bile-shirted and silk-hosed? And now, alas! Jeff has deserted his red neckerinos and gone to the gang. Jeff no longer calls it a dance as the boys up the forks of the creek call it, but a cotillion, a word gleaned from the high-collared bunch, and Jeff, Oh! if his supporters could have seen him swathed in a swallow tailed coat, biled shirt, high collar, patent leather shoes, white kid gloves, bending the knee to predatory wealth, their own Jeff bowing and scraping to the enemies of the people, what would they have said? Is this the same Jeff who with tears in his eyes told them he could not afford to wear new pants while his wife was at home making old-fashioned soap, aye, that he would not wear better clothing if he could, that with the high cost of living he could hardly feed the mouths of his children. Is this the same Jeff who four years ago was compelled to feed his family bulk pork and now feeds them beefsteak, who milked the cows and drapes his home with Killarney roses in the winter time, whose home is bedecked with flowers, hand-painted walls and ceiling and myriads of electric lights flashing their glad welcome to Little Rock's four hundred? And picture to yourself the immortal Jeff standing stiff necked with a high collar and silk stockings executing the high shake to the children of the enemy of the dear people.

"Think of it, ye lads who live up the forks of the creek, all this has been accomplished in four years and this is the same Jeff who so unmercifully criticised Col. Rector because the Colonel had the forethought to take a bath before having a conference with Jeff. Think of it, ye great unwashed followers of the commoner Jeff, did any of ye receive an invitation to this cotillion? Alas, no, this was not for you, this was Jeff's bid for entrance to the four hundred. He has deserted his wool-socked followers, he no longer makes soap at home, he buys it

scented; he no longer eats bulk pork, but porterhouse steaks. Jeff is simply trying to act what he has so often accused his opponents with being—a gentleman, but whether he will succeed is problematical. Who would have thought it? Who would have believed it?”—*Morrilton Democrat*.

It has been charged that Senator Clarke took a part in trying to compass the defeat of Senator Davis, but in the writer's many long and confidential talks with the senior Senator, he gave no indication whatever that he had any interest in the result, but on the contrary stated, time and time again, that he was disinterested and would not use his influence for one or the other. It would have been extremely interesting to have observed the conduct of the junior Senator when the senior Senator made his last campaign, but the junior Senator had entered into the only contest in which he ran through and sustained defeat, the contest with the Grim Reaper. Many since his time have tried in vain to imitate him, to ape his style, but it cannot be done any more than one could paint the lily or increase the brightness of the sun. There never was but one Jeff Davis—there never will be another.

While it is true that Governor Davis had a remarkable insight in dealing with whom he came in contact, yet a large part of his troubles arose by reason of difficulties with appointees and friends whom he either assisted or attempted to assist politically. I recall that when he first went into the Attorney General's office, "Bud" McConnell was superintendent of the penitentiary. After visiting the institution, Davis wrote the superintendent a very flattering letter commending his management. Shortly afterward he fell out with McConnell and thereupon used his best efforts to get rid of him and then had R. B. Hogins of Russellville appointed. Hogins refused to make some family appointments suggested by the governor, where-

upon, they fell out. He advocated the candidacy of Colonel Murphy for Attorney General, and they afterward became bitter enemies and remained unreconciled until Davis went out of the Governor's office, when, after repeated efforts, he induced Colonel Murphy to become friends again. He made flattering speeches for Louis Rhoton, at that time prosecuting attorney, residing in Little Rock, told what a remarkable backbone he had, and afterward fell out with him when Rhoton announced that he had in his possession certain free transportation the Governor had used.

Innumerable instances along this line could be mentioned, including an ultimate break with his colleague, Senator Clarke. Perhaps the three men nearest to him at one time were the writer, John H. Page and Judge J. C. Hart, and no one more than John H. Page, who was not only his advisor but his companion. The Governor on one occasion in the heat of a debate, as he claimed, made a speech at Newport in which he severely criticised both Hart and Page, after which the close friendship existing between them totally ceased. I have no intention of going into personalities and will not do so, but the first breach between the writer and the Senator occurred when O. C. Ludwig ran for Secretary of State for his third term. The Governor had a misunderstanding with Ludwig and was supporting J. C. Clary. He endeavored to induce me to join with him in the matter, which I refused and after a battle royal Ludwig was elected by about five thousand majority.

It is remarkable that the man who wielded such an influence was not on speaking terms with Senator Clarke, Judge J. C. Hart, John H. Page and the writer at the time of his death, and yet it is not so remarkable when all things are considered and when other cases are analyzed.

There were no closer friends and companions than two of our great Presidents, yet their friendship terminated when Taft incurred the deadly enmity of Roosevelt. In fact, this seems to be the order of the day with respect to political friendship, and it is not necessarily due to a conflict of interests, because there was no such conflict between the interests of Senator Davis and the intimate friends mentioned. His remarkable character becomes evident when we consider the fact that during his political life he made friends of enemies, built a mightier machine, cast aside more precedents, was more cordially hated by his enemies, more generously lauded by his friends, idolized by the masses, turned out of his church by its deacons, excoriated by the press, and execrated by the business interests of the state as well as politicians against whom he was continually arrayed and which interests never ceased to systematically, orderly and intelligently oppose him. I doubt if any man holding office could have been so persistently and at times truthfully accused of the many things charged against Senator Davis and escape as he did. Outwardly he seemed to be immune from the shafts of criticism and in most cases he cared nothing for what was said about him, in so far as it affected his political future, his deepest solicitude being for the effect it might have on his family, the pain and anguish visited upon them through him. He knew he was playing a game from which pigmies and pikers were barred and that as he gave to others, so might he also expect to receive. But I do not believe he could make the fight single-handed and alone against the opposition as powerful as he had without the soothing and sustaining influence of Mrs. Davis who, as I have had occasion to say, never failed to impress me in the many, many times I have discussed these matters with her as a woman of dauntless courage, clear foresight, calm and

dispassionate, and perfectly logical in interpreting a situation and providing the remedy for it. She was a helpmeet such as few men in political life have ever had the good fortune to be honored with. She was not always in sympathy with the Governor's methods but always acquiesced in his position that ends frequently justified the means.

On one occasion the Governor and Mrs. Davis were in a street car. The Governor expectorated tobacco juice on the floor, whereupon, the conductor with some degree of anger severely called him to task for a violation of the rules and law.

The Governor said nothing but after the conductor retired, turned to Mrs. Davis and said:

"I wonder if he would have spoken to me as he did if he had known that I am Governor of the state?"

Mrs. Davis replied:

"No, Jeff, he had no reason to expect such conduct from one who occupies the position of Governor of the State of Arkansas."

The Governor at no time ever forgot or deserted his friends. At the meetings of the state convention he frequently obtained transportation for some of his country friends who were unable to purchase the same and took care of their other expenses and even at the national conventions when he was one of the delegates at large, he managed to secure enough tickets of admission to provide for those who called on him. Whether through political motives or personal satisfaction, he was at all times generous with his friends where it did not involve the expenditure of money which, during the time I was associated with him, always seemed to be a very scarce article. I recall one occasion, however, when the Governor had invited a number of his friends to eat breakfast with him at the Jefferson Hotel in St. Louis. The world's fair was

on at the time. Two of his guests, becoming imbued with the idea that the check was assuming somewhat heavy proportions and would ultimately be shunted on one of them, had a bell-boy to page them stating that they were wanted at the telephone. This happened toward the latter part of the meal. Needless to say, they failed to return to the table and the Governor was left with a large sized check staring him in the face. I do not recall how it ended.

It has been my pleasure to have been with him on several trips especially East and he invariably told me that as long as he was outside of the boundaries of the state, he was no longer Governor and enjoined upon me to eschew all shop talk, to forget about official affairs and enjoy the trip and this he seemed to have the faculty of doing, for he never permitted himself on those occasions to be burdened with official responsibilities, in fact, usually arranged it so he could not be reached by wire except by his family. He was always jolliest in a crowd and a keen lover of the theatre and baseball and on occasions of this kind, conventionalities were barred and he acted like a schoolboy enjoying a vacation. He never was at any time a stickler for dignity and less so when away from home, but he did, however, love to roam in the spotlight of publicity and newspaper reporters seeking interviews were as welcome as a red worm to a young negro angler perched upon the bank of a creek.

During the impeachment proceedings when the Governor, in answer to the question of finances, stated that he did not at the time have a nickle in his pocket and would have to borrow one to ride home on the street car, he never was so earnest and sincere about a proposition in his life. He went into the Attorney General's office on a niggardly salary of \$125.00 a month and the salary of the Governor's office was hardly enough to pay for the necessities of life,

and as the Governor had no other means of income, it was often the case of borrow until the next pay-day. I know as a matter fact that for weeks and weeks the Governor would not have ten dollars left three days after pay-day, and unless he was compelled to leave the city we could not between the two of us raise \$5.00 in currency. I know that on a number of occasions when the Governor had to leave the city he would send me across the street to borrow \$5.00 or \$10.00, as the case might be, and this was not done for effect but in response to actual necessity.

There is one incident to which the Governor never referred or had any desire to refer, and which was known by only three persons. On this occasion while we were in Washington I interested him in a young man who was incarcerated in the United States penitentiary for an indiscretion committed some years previous while a Federal employee. We had sojourned to Washington for the purpose of taking up with President Roosevelt the matter of equipping our State Guard and I remarked to the Governor that while we were discussing this matter with the President, he ought to suggest his appreciation for any clemency that might be extended, and the President became immediately interested. After discussing the matter, the President remarked that he did not care to extend clemency to anyone convicted of violating a trust. Governor Davis immediately began to recount the large number of pardons that he had granted in Arkansas and the President interrupted him by saying he would like to favor the Governor, but he had rather extend clemency in any other kind of a case than where a Federal employee had embezzled funds, however little it might be. They had risen and Governor Davis took President Roosevelt by the coat lapel and looking into his face stated that the President was inclined to be hard-hearted and somewhat de-

ficient in the milk of human kindness and he should soften his heart, whereupon, as quick as a flash, President Roosevelt smilingly remarked:

“My dear Governor, a soft heart is sometimes indicative of a soft head.”

The force of this statement did not impress itself upon the Governor until we had left the White House.

My readers are familiar with the antipathy expressed and shown by both Senators Clarke and Davis against the Cotton Exchange and I recall forcibly its origin.

On one occasion I had the pleasure of going East with the two Senators while Davis was Attorney General and a desire was evidenced to visit Wall Street and see what it looked like. So we went there and obtained cards of admission to the Stock and Cotton Exchange and went in and watched the operations from the visitors' gallery. I recall the impression made upon them as depicted in their faces and that was enough to convince me that there was trouble brewing for these institutions. This is the way Senator Davis afterward told it:

“There is a crowd of gamblers in New York City called the Board of Exchange, that controls these prices. Did any of you ever visit the Board of Exchange in New York? I presume not. I was there about two years ago. I visited New York with Governor Clarke to try a lawsuit and while there we visited this gambling house. Let me describe it to you for a moment. We went up into a gallery; we could not get down on the lower floor. I saw there a room probably about two hundred feet square and all around the wall were telegraph instruments ticking, ticking, ticking; in the center was a circle enclosed by a brass railing, perhaps eighteen inches high. Around this railing, which was perhaps eighteen or twenty feet in diameter, sat eight or ten men. I could not hear what they said; little boys were

running from the telegraph instruments to this brass railing carrying telegrams. How many men comprise this institution called the Board of Exchange? Four hundred—no more, no less. How much does it cost to be a member? Forty thousand dollars. There is but one man in Arkansas, so far as I am advised, that belongs to this institution. His name is Taylor and he lives at Texarkana.

“As I say, these men were sitting there tearing open telegrams and going yow, yow, yow. I could not understand what they said, but in less than five minutes Clarke said: ‘Jeff, look there!’ A price had been posted; they had changed the price of cotton over \$5.00 a bale.

“When I saw this sight, my fellow citizens, my mind turned back to that other scene in New York City, where the gamblers of Wall Street sat around the gambling table gambling not only in the products of the soil of the South, but gambling in the flesh and blood and bone of the children of the South, and my heart cried aloud: ‘My God! Is there no help in Israel? Is there no help for the children of the South?’ Then the old Populist doctrine announced twenty years ago came ringing back to my ears, like the voice of one crying in the wilderness, saying: ‘Yes, organization at home; obtain friendly legislation in Congress.’”

My readers will recall the relentless fight made against the exchanges by both Senators on the stump and in the Senate.

I will never forget an incident that occurred immediately after the Governor's first inauguration. It was in the old statehouse on the 18th day of January, 1901. The ceremonies took place in the old House of Representatives with Democratic simplicity, although the stand was garlanded with beautiful flowers as also was the Governor's office. Immediately after the ceremonies we wended our way into the Governor's office where the Governor was

surrounded by his family and a large coterie of friends. After congratulations had ended, and the Governor's friends had departed, he and I were left alone in the office, the duties of which were strange. By reason of the unfriendliness between the Governor while he was Attorney General and Governor Jones, the incumbent in the office, there was no social intercourse between the two officials. We walked into the Governor's private room and he took a deliberate survey of it midst most intense silence. Finally after a minute or two, he looked up at me in that whimsical way he had when in a good humor and holding out both hands, palms upward, he said: "Well, we've got it; what are we going to do with it?"

The most prophetic forecast of what he was going to do with it would not have come within the possible realm of human imagination. However, what he did with it changed the political status of Arkansas; it took men high up in the councils of the state and nation and thoroughly entrenched in power and cast them into political oblivion; it took men hitherto unknown in the politics of the state and elevated them to state and national prominence; it changed the representation in Congress, the bench, state and county officials and inaugurated a new political dynasty within our borders. It revised legislation and changed the domestic policy of the state, revolutionized the methods of elections and democratized them. It revolutionized the method of running for office and provided a method of direct appeal to the people instead of the necessity of an intermediary in the person of the politician and political community leader. It factionized communities, counties and districts and changed the official roster in most counties of the state. He was the juggernaut, the armored tank that plunged through the enemy and spread political death and desolation in their midst. No human

conception could forecast the answer to the momentous question he propounded to me. What he did with it will go ringing down the corridors of time as an epochal part of the history of Arkansas, long after we who knew him shall have crumbled into dust.

It will be recalled that Governor Davis had a controversy with Supt. R. B. Hogins, the then head of the penitentiary. This led to a letter written by the Governor from New York to Hogins as follows:

"I am just in receipt of a telegram from my wife stating that you absolutely refused to give Sam a job under any circumstances. This is no more than I expected, and just what I told you would occur when you left my room after three members of the board had pledged you that if he was appointed they would confirm it. Of course, it is not necessary for me to recount to you the fact that you was making a very small salary at Russellville, and that I alone am responsible for your appointment, which I have regretted very much—since ten days after your appointment. I am very sorry indeed that I ever let Sam agree to accept a position under you, and you know very well I only agreed to it after a very heated discussion between you and myself in the presence of Judge Wallace and my father. I shall never ask another courtesy at your hands, neither shall I accept one.

"Yours truly,

"JEFF DAVIS."

Sam was the Governor's brother-in-law, that is, Mrs. Davis' step-brother.

I recall another incident of which the public never heard and which, to some extent, changed the political history of the state. It will be recalled that Davis bitterly opposed Bob Rogers, who at the time was Attorney General and a candidate against Congressman Little for Governor.

Mr. Little was in poor health and unable physically to stand the strain of a strenuous campaign such as was then being waged and Davis spent a considerable portion of his time in his campaign for Senator, in aiding Mr. Little. Finally, Little advised Davis that his strength was about spent and he intended withdrawing from the race and was preparing a statement to that effect. Governor Davis was paralyzed at first by this unexpected announcement but urged and pleaded with Little to do nothing for the present, but to remain silent until Davis could assemble some friends and determine what course to pursue. After the Governor and his friends worked on Little for over two weeks urging him not to withdraw, he reluctantly assented and re-entered the race and won it. Had Davis not persuaded him to re-enter, Rogers would have had no opposition and would have been Governor. But fate had ordained that Congressman Little, a splendid type of American citizen, honorable, gentle and much beloved by all, should not occupy the high office for which he had been selected by the people. The campaign had sapped his strength. On the day he delivered his inaugural address before the General Assembly I remained alone in the Governor's office to receive him as soon as he finished and had been sworn in, but after delivering his message his strength was gone and he was carried into the Governor's office and a carriage was summoned which at once took him home and he never returned to his office, never having served an hour.

The Governor had quite a bit of trouble at times with some of his Lieutenant Governors. In every session of the Legislature he would try to have some friend selected for that position but at times he could not connect. This was true in 1905 when the Legislature upon adjourning elected John P. Lee, of Clarendon, as Lieutenant Governor. Mr.

Lee, a splendid lawyer and cultured gentleman, was not one of the Governor's supporters but they maintained friendly relations. The Governor having heard a great deal of California and never having been West concluded to take Mrs. Davis on a trip West to see the country and at the same time give the Lieutenant Governor an opportunity to assume the duties of the Governor's office. But he had a number of matters pending before him undisposed of about which he desired no interference upon the part of the Lieutenant Governor, so he instructed me to take certain papers in connection with pending applications for pardons and other things and take them home with me, which I did. This was especially true with reference to certain conditions in Washington county and more particularly in connection with the application of the pardon of one Reed of Fayetteville. When acting Governor Lee asked for the papers in the Reed case they could not be found, but he issued the pardon in spite of this on his own motion. The Governor heard of this from me while in California and on May 4, 1906, he wrote me from Los Angeles as follows:

"Your telegram and letter received. I think Lee has played *hell* since I left. I can't understand why you would let him appoint Boyd instead of Cowling. This was a neglect on *your part* that is *inexcusable*. I bet that Lee never gets his anatomy in that chair again. I was surprised also that you allowed him to pardon Reed of Fayetteville. This was asked by the railroads and was protested against by all my friends. It was only wanted in order to get some other boys into trouble. I will leave here tomorrow for home and as soon as I reach the border I will wire you so that Lee can vacate. He must be a damn *fool* just as I have always thought him to be. The idea

of him thinking for a minute of calling the Legislature is the worst that has ever happened.

"We are both well but I am too mad and worried to enjoy myself.

"Under separate cover I send you the city papers of this date and after you have read them show them to Kimball and get a favorable comment if possible. Save one copy of all the papers for our scrap book.

"I will wire you enroute so that you can be advised as to my address.

"Yours, etc.,

"JEFF DAVIS."

Jeff Davis was essentially a politician. When the national guard was organized under his administration he gradually shaped it so as to weld it into a potential political organization as well as an efficient national guard. Having no regard for pomp, he refused to countenance a uniformed staff and himself refused to wear a uniform to which his rank as Governor entitled him. When a member of his staff fell out with him politically he officially had him decapitated. He did not permit a bunch of uniformed high-up military officials strutting around his office nor did he permit the writer as adjutant general, a rank which the law gave the Governor's secretary, to wear a uniform. When the annual reunion of the guard took place it was difficult to maintain discipline when the Governor was around for he would invariably insist upon knowing who was in the guardhouse for infractions of military law and always turn them out, especially if any of their relatives was his political friend.

Jeff Davis had a child's enthusiasm for Christmas. It meant much to him. To him it was a time for the softening of the heart and turning to those who were in distress, as well as a remembrance in the way of a gift to

his friends. The unfortunate, serving a term longed for the approach of two holidays, Thanksgiving and Christmas, for some days prior thereto, the Governor would go through the various applications for pardon on file in the office, study them carefully and make note of those cases in which he believed there was merit and those in which his friends were especially interested. He would then go to the walls and have the inmates lined up in two long columns facing each other at a distance of about six feet. He would then start at one end and ask each convict his name, where he was from, crime for which convicted and period of confinement. I accompanied him with a tablet and pencil and would take down the names of each and a short statement of the replies. Then later in the office the Governor would run through the list and select those whom he desired to pardon at that time, as well as those who were to be pardoned at a later period. At times he included inmates who had no application at all on file and who were doubtless too poor to employ counsel to prepare and present the necessary papers. These were what he called Thanksgiving and Christmas pardons and in most instances I am sure he was actuated only by the fact that he was always touched at seeing human suffering.

He often without warning took a meal at the penitentiary to test the quality and character of food served, always arranging to be there while the convicts were being fed and he did this in some of the other state institutions as well.

CHAPTER XXIV.

ARKANSAS' TRINITY.

Every state at some time in its history, in some generation of its activities, develops a great man, and honors itself in the tribute paid to one of its distinguished sons, whether that person be native or adopted, but seldom can a commonwealth boast of three illustrious citizens who were not only contemporaries, who not only resided in the same city, but were close friends, each of the other.

James P. Clarke, Jeff Davis and William Marmaduke Kavanaugh! What a trinity of distinguished men, each a Senator in the greatest deliberative body of the greatest nation on earth. Each of these three men, close warm personal friends of the other, reminded me on many occasions of the motto adopted by three of the greatest characters in fiction, created by Alexander Dumas, "All for one, one for all," yet never was there a greater variance in temperament and characteristics than among the three. Senator Clarke possessed brilliant, dynamic intellect, with a wonderful power of analysis and assimilation. He was a man of undaunted courage, impregnable convictions, unrelenting to his enemies, an omnivorous reader, a master of the knowledge of constitutional government, a tireless worker, and a brilliant lawyer, possessing an unimpeachable logic, and with a method of marshalling facts in such manner as to make them unanswerable. He was a leader not only among men, but among leaders; a man who despised demagogery in any form; who never dealt in inuendos; hated shams, was uncompromising in his convictions of right and wrong. He was oblivious to the shafts of criticism, a rare plant in the public garden of flowers,

a rara avis in this day of shams and hypocrisy, a man whom the greatest delighted to honor and whose intellect knew no bounds. Temperamentally cold and austere, yet by the power of his immeasurable brilliancy, he drew to him men of culture, refinement, and education who reveled in the fact that they were being honored by being permitted to be called his friend.

Arkansas in the past has been honored by such brilliant sons as A. H. Garland, Jas. K. Jones, Albert Pike, and men of the earlier days of her history, but Jas. P. Clarke was a giant among gigantic intellects, a man whom Presidents of the United States delighted to honor with their friendship. He refused to cater to the public, refused to engage in a handshaking campaign for office, never undertook to feel out the public pulse, nor to ascertain which was the popular side of a question. His political successes were due to sheer brilliancy and not personal popularity. He never criticised an opponent but dealt entirely with his record. He neither tolerated nor permitted himself to consider anything that was the least unethical, and was always ready at all times to give his friends the benefit of his advice upon all subjects. Relentless in his hatred of his enemies, he never failed to distinguish between a friend and an enemy. His sense of discrimination along those lines was unerring in its accuracy. To his friends, and in his office, he accorded genuine hospitality. Extremely courteous, pleasant and affable, he greeted his friends with a hearty handclasp and a pleasant smile. In his most trying moments he never lost his mental poise, or sense of values, retained his mental balance and inspired his friends with confidence in the ultimate outcome. He never temporized with anything that was the least questionable and in his passing away both friend and enemy alike together exclaimed that a giant oak had been cut down in the

forest, and at a time when the nation could ill afford the loss of such intellect.

Jeff Davis was in many respects the antithesis of his colleagues. Both reached the same political goal by entirely different routes. Jeff Davis was essentially a man of the people. He was proud to be one of them, to mix and mingle with them upon terms of equality. He believed that he had a mission to perform, that of interesting the people in their political conditions and teaching them to assert themselves in the selection of their candidates for the higher offices. His campaigns were to them campaigns of education. He taught them the issues in the messages he brought to them nearly every year, and made them factors in the government of the state. While doing this, he was at the same time gratifying his own political ambition and qualifying himself to represent them in the various offices to which he aspired. Dignity held out no reward to him and he was unmindful of what his colleagues or the press thought of him. As a member of the Senate, he got all the free stuff allotted to the members, then borrowed as much as he could from his colleagues and sent it back to people in his state. He was always looking for some way in which to reward his friends, for no man in public life felt more grateful toward his friends than did he nor strove more persistently to discharge his political obligations. He never permitted himself to be hemmed in by any fixed rule or principle of ethics, but pursued such course as comported with his sense of right and justice. He never assumed any half way attitude toward any one. As Senator Clarke so well said:

“He knew that in politics the relationship between individuals is one for the advancement of mutual interests and that such friendships too often endure only so long as mutuality rewards the coalition. It is doubtless true

that many real friendships grow out of the business of politics, but the general course is as he understood it. He early realized that half-offended friends might sooner or later find themselves in a position where they could do him more injury by encouraging the warfare of his enemies indirectly than they could do as part of the opposition; therefore, he never 'fell out' half way with anyone. He frequently found, in making his calculations for future political contingencies, that it would better serve his purpose to force a realignment than be burdened with a possible mutiny of some vital part of his combination at a more critical stage of the conflict."

He was not a student but absorbed enough out of the general intelligence of the country to be fairly familiar with many of the leading questions of the day. He knew humanity as few people knew it, dealt not with individuals so much as with conditions, listened to any advice given him and then pursued his own course, and if any disagreed with him, they were never left in doubt as to the course he would pursue. I have attempted many times to analyze for myself the character and outcome of a campaign that would have been waged between these two men, each so essentially different in all respects. A near approach to this speculation would have been possible had not Senator Davis passed away a short time before Senator Clarke was to make his last race for United States Senator. In this race, it was my understanding, it was Senator Davis' purpose to espouse the cause of Senator Clarke's opponent. I talked to Senator Clarke about this matter at various times, but he appeared to be absolutely indifferent, realizing, no doubt, that while Senator Davis was very unfriendly he could not politically injure him. Whether he would have done so or not, and what would have been the effect of his

opposition, will never be answered, for the Grim Reaper settled this question once and for all time to come.

William M. Kavanaugh embodied within himself a portion of the virtues of his two great contemporaries. He was essentially a man of many parts, a banker, business man, and a politician, because he was a leader among men. It is a coincidence that his first political appointment was received at the hands of Senator Clarke while the latter was Governor of the state, and during the balance of his life, Judge Kavanaugh, as he was known to all of his friends, neither forgot nor attempted to lessen his sense of gratitude to the Senator. Judge Kavanaugh was essentially an organizer, absolutely honorable in every transaction of life. No man would go further or make greater sacrifices for his friends than he. He enjoyed a national reputation and his advice and counsel was sought by rich and poor, high and low, alike. In his demeanor and daily life, he was the essence of democratic simplicity, accessible to all at all times. The only thing lacking to have made his reputation rank with that of his two friends was the opportunity. His friends were legion and his enemies numerically negligible, and the friendship of his friends and their esteem bordered on idolatry. He was gentle, kind and affectionate, always giving but seldom taking and no task was too difficult for him to undertake when the result of it might be of some benefit to a friend. It would not be sufficient to say that his friends loved him—they idolized him. I consider it the greatest privilege of my life when I look back in retrospect and again visualize and live through once more the conferences I attended, where all three of these distinguished gentlemen were present, discussing and maturing plans for the future. They were so situated that in but a few moments a conference between them could take place. It is a privilege that comes

to but few in this life to have sat in the presence of such three men and listened to their discussion of public affairs and the method and manner in which to meet the approaching conditions and issues. I am filled with unutterable sadness when I think of the awful toll levied by the Angel of Death upon the State of Arkansas and upon the nation in such short space of time by taking from our midst these three distinguished men. The state and the city of Little Rock could ill afford to lose them. If Arkansas' portion in the Hall of Fame shall be limited to the memory of these three men, she will have no occasion to blush for shame when compared with that of any other state in the union. They wrote their names indelibly in the history of the state and in the generation in which they lived and in which their activities were displayed and their names will be indissolubly linked with the growth and progress of our state and country.

CHAPTER XXV.

THE CELEBRATED COBWEB SPEECH.

Of all the Senator's speeches, what is considered his two best efforts are used in this book, one of them being his first speech in the Senate delivered soon after he arrived. The next morning the *Washington Post* which gave it three columns of space, among other things said that while the speech was not distinguished by argument, it was crammed with invective and homely epigrams and provided entertainment for crowded galleries and a majority of the Senators. When he finished, it was suggested that out of the contingent fund there be taken enough money to provide a new strip of carpet near Mr. Davis' seat and repair his desk as he constantly paced up and down the main aisle during his discourse stamping his foot vehemently to emphasize his points against the octopus and repeatedly banged his desk with clenched fists to add penetration to other poisoned shafts. He spoke an hour and a quarter and all the Senators remained throughout his speech and the walls were lined with Congressmen including the entire Arkansas delegation and many leading members of the lower House while others were unable to get in, and the galleries were packed.

It has been seen that the Senator was not a conformist to precedent. Customs to him were oftener honored in the breach. He told the people in his campaign for Senator that if elected he would arouse the Senate from its lethargy, would make them sit up and take notice, that he would brush the cobwebs off the ceiling and the walls. From the time of his nomination until Congress met some months later he prepared his ammunition in the form of a bill for

the "Suppression of Pools, Trusts and Combinations in Restraint of Trade," and just as carefully prepared his speech and undertook to memorize it. This was the first attempt so far as the writer knows of the Senator memorizing a speech. As soon as he was sworn in he introduced his bill (S. 100) and on December 11, 1907, nine days after he entered the Senate, he delivered his speech. Prior to that time it had been customary for new members of that august tribunal to keep silent and watch and become acquainted with members and methods before essaying to deliver a formal address, but the Senator shattered precedent. He first gave out an interview to the press of his intention which was widely heralded so that at the appointed time the galleries were crowded and most Senators in their seats, as well as officials having the courtesy of the chamber.

He began by stating that when he entered this honorable body it was not his purpose to retain his seat in silence until his hair had grown gray in service, until he had grown out of the knowledge of his constituents and lost his identity with them; that it was his ambition to present quickly, fearlessly, forcefully and as intelligently as he might, some of the living and vital questions before the people and that he knew of none closer to their throbbing hearts than the subject-matter under consideration; that he would not undertake to discuss the trust question from a technical standpoint. If a trust was a good thing there should be more of them, and if not they should be suppressed or destroyed, and this was the subject of his bill and the purpose of his speech.

In a previous chapter we discussed his Arkansas anti-trust bill as well as its fate. His effort then was to prohibit any corporation from doing business in Arkansas that was a member of a pool or trust in any other state.

This same purpose was carried out in his bill in the Senate which sought to prohibit any corporation or individual from operating in the United States while a member of any pool or trust either in the United States or out of it. It was the same original fight being waged nationally that in the years gone by he had waged locally. He then discussed the Sherman act of 1890, showing that since its passage more large trusts were organized than had previously existed, and charged that no honest effort was made to enforce it. He said:

“Has there been an honest and effective effort to crush a single trust under the Sherman act? If there has been will the majority lay their hand on it? If you have crippled one, tell me where you hit it. You have not even lamed a trust, not even disturbed one. * * * Let the men from the South and West stand by me in this contest and this bill shall not meet the fate of the other trust bills sleeping the sleep that knows no waking, in committee rooms. I mean what I say. The further down into the bill you get, the better it is; the deeper you dig, the more sound Democratic doctrine you find. Who created the trust? What is the testimony of Mr. Havemeyer, the great sugar king? He is dead and gone to his reward; whether a good or bad one, I do not know; but at least he has gone to that place and clime where St. Peter don't take sugar in his'n.

“This bill provides that a corporation organized to form a trust shall not sell goods for nothing; that they shall not sell them at a cost less than the cost of production; they shall not give them away nor sell in a way as to injure legitimate competition, nor sell them in one section of the country at a less price than another. * * * A local company in our capital city of Little Rock was selling oil at 10 cents a gallon in the city and 15 cents in the country.

The Standard Oil Company, seeing that they were an independent concern, undertook to drive them out of the market, and began selling oil at from 6 cents down to 2 cents a gallon and forced out of existence the other. Then they raised the price of their oil, not at the old price, but to 15 cents in the city and 25 cents in the country. * * *

It also provides that these corporations shall not be permitted to withhold testimony and may be required to show their books and testify as to the facts. It also provides a penalty of \$5,000.00 for each day's offense and a penitentiary sentence. Let the great trust magnates of the land understand that they are not above the law; that the strong arm of justice can reach them. Prosecute them as you would any other felon, just as you would an ordinary horsethief. The man who steals your horse commits a very small injury to your property, but the man who steals under the trust process grinds and oppresses and destroys American manhood and shuts the door of opportunity to millions of men, does a wrong and an injury that cannot be compensated in mere fines. Put them in the penitentiary.

"Do you know the best object lesson today for the suppression of the trusts would be to see John D. Rockefeller or some one just like him with stripes on. Let every man, no matter who he is, come under the law. If he violates it, place upon him felon's stripes, the doxology of a misspent life. Let no guilty men escape. Let the great American people understand that the law is made for all alike. Protect the weak man in his cabin and protect the great man in his castle, but protect all alike. * * *

"It is said that the tariff is the mother of trusts and they are gathering the benefits they have been enabled to gather by reason of the tariff. Today we see the amazing spectacle of fifty-one men in the United States owning

\$3,295,000,000.00 of the wealth of the country, and I herewith submit a list of fifty-one men together with the amount amassed by each. * * *

"It will thus be seen that fifty-one persons own one-thirty-fifth of the entire wealth of the United States. Add to this the wealth of the other millionaires and you will find that this little group owns about 87.5 per cent of the nation's entire wealth while the other eighty-nine million people own less than \$500 each in property.

"Sir, what is money that it has grown so priceless? Money is simply the means to an end. This is a day of commercialism. The country has gone wild about money. This is a day when gold is placed above God and money is placed above men when we would sell our souls, our Government, our all for dollars. There is a mad desire to get money and everybody has the fever. Happy, indeed, and beneficial to mankind will be the man who can solve the problem and apply the remedy. When our fathers founded this government more than a hundred years ago, they embarked in an unknown undertaking, upon a sea without a rudder or compass. They had neither precedent nor example. They intended to form a government that should be a simple government, a pure one, and a government of the people, for the people, by the people. Is that condition prevailing today? Mr. Lincoln, the great patron saint of the Republican party—God bless his memory!—in his latter days spoke a great truth when, looking down upon this government from his lofty height in the travail of his soul, he said, "I see an era approaching which gives me more concern than did the Civil war. I see a period approaching when all the wealth of the country will be concentrated in the hands of a few, and when that day shall arrive I tremble for the Republic itself."

"Mr. President, I am neither an alarmist, socialist, nor

anarchist. But I tell you there is something wrong. This is not the government handed to us by our fathers. The old ship of state has drifted from her moorings, and unless we tow her back to the old-time Democratic simplicity, I stand here today and tell you, sir, that we are upon the very threshold of a national calamity.

“Who was the greatest President, save and except George Washington, that this country ever had? I say without fear of successful contradiction that Old Hickory, Old Blue Jeans, was the greatest President this country ever produced. When he was sworn in as chief executive of this great nation, he came to the White House on horseback. He rode his horse out here, hitched it to a rack, and, dressed in a suit of blue jeans, walked into the White House and took the oath of office. How simple was that ceremony! How plain! If a man should do that today he would be called crazy. Today there is too much gloss, there is too much glitter, there is too much gold, there is too much tinsel. If things continue for another quarter of a century as they have for the past twenty-five years the statesmen of America will be wearing knee breeches with brass buckles, and powdered wigs, and when they go to the White House they will be bowing down to semi-royalty. We are going too fast. This world is moving too fast. We want to get money. Gold is God. Sir, what did the last Congress appropriate for the current expenses of this government? If I remember the figures correctly, \$900,000,000.00 or thereabout. Nine hundred million dollars! Sirs, this is a sum of money which staggers the human mind to contemplate. Nine hundred million dollars! If you were to pile it up on this floor and let my good-looking young friend, the Senator from Indiana (Mr. Beveridge) start to count it, and let him count \$2.00 a minute, and let him work as strenuously as the Senate itself works, he

would be as old as Methuselah before he could count half the money. Nine hundred million dollars appropriated to run the government! Too much money, Mr. President.

“What else occurred? In addition to the ordinary appropriation for the President’s salary, \$50,000.00, you gave him \$25,000.00 to ride over the country on business trips and otherwise. I speak of the President in most respectful terms. You not only did that but you gave him sixty or seventy thousand dollars for something else—I do not know for what purposes—and altogether it takes about \$120,000.00 to support our distinguished President and his family. While I have the greatest admiration for Mr. Roosevelt, I understand he has only five children. I have him skinned a city block (laughter). I have eight children and it does not take \$120,000.00 to support me and my family.

“Mr. President, why do I mention these things? To show the trend of the times; to show how the old ship of state is sailing; to show how gold is God. Sir, money today is all powerful. You know, every one of you knows, that it opens the door of opportunity to all men; that the lack of it locks the door of opportunity to all. It opens the door to society and great functions. In some instances, I am sorry to say, the doors of the church itself are not open so widely and so gladly to men in tatters and rags as they are to the men with money. Money is powerful. Everybody respects money. Whether a fellow ever expects to get a dollar or not he looks at it with awe and trembling. He walks up to it with a great deal of fear. He doffs his hat and tosses it high in the air at the sight of this great monster.

“You say, sir, that this bill is radical; this bill is extreme; it will tear up the business interests of the country; it will destroy confidence; it will ruin the republic. I

pause to ask the question, Will you destroy the republic or will you destroy the trusts? 'Choose you this day whom ye will serve,' whether God or Mammon. Are you going to serve the trusts or are you going to serve the people? Wake up, sir! Disturb business relations? Disturb business conditions? If it is necessary to save the republic, I say disturb anything, disturb anybody.

"I know, sir, that business is easily frightened. I know, sir, that money is timid. I know, sir, that there are a great many interests in this country that do not want any radical changes; that would rather submit supinely and let present conditions alone, no matter how harmful or how hurtful, than to disturb business conditions. The cry of disturbing financial conditions and business relations is too often the shield behind which cowardly public servants hide themselves when they are called upon to face an outraged constituency. You can say the bill is too drastic, too strong; it would really accomplish the intended purpose if passed; it would really destroy the trusts. Can anything be too strong that will reach the seat of this disease? The trust on the body politic is a cancerous sore just as is a similar sore on the human body. The only remedy is the surgeon's knife. Take it. Cut it out by the root. Destroy it before it destroys the human body. If a Senator on this floor should see his child, the loved one of his heart, in danger of being bitten by an adder, would he strike with fear, would he strike with trepidation? No, sir. He would strike to kill. He would strike to destroy. This is what this bill means; that is its object; that is its purpose. And I tell you, Mr. President, if I could get the assistance, as I know I can, of the Democratic minority of this august body, the Senate shall not deride and put to sleep a bill that has for its object and purpose the destruction of this great evil. If there is any power in the Democratic minor-

ity, if there is any power left in Democratic Senators, this bill has got to be brought back here, if I can see that it is done or if the minority can. It has got to be reported, favorably or unfavorably, and it must be fought out on the floor.

“Let us stop and study the history of our government for just a moment, study its objects and purposes, and see just what the fathers did intend. They intended that the people should rule and not the creatures of the law. That the sovereign people should be all powerful and in their hands they vested all power except that which is specially delegated to Congress.

“They started out on a rough sea, upon unknown waters, but thank God! they wrote a great declaration, the most immortal document that has ever been conceived by the human mind, or penned by the human hand. It declared certain immortal truths, the most important of which, in my judgment, are: That we are guaranteed certain inalienable rights that cannot be transferred, that of life, liberty and happiness. I deliberately misquoted it that I might call your attention to its meaning. That great document declares that all men are free and equal. When we come from the plastic hand of God we are all equal; none better, none greater than another. It declares that we are endowed with these inalienable rights—life—liberty—and happiness. I infer from that language that by ‘pursuit’ our fathers meant that we might run after happiness; that we might chase it and overtake if we could. Happiness is a condition desired by all men whether rich or poor, high or low. That is the ultimate object; that is the highest and best ambition of man. Our fathers did not guarantee to us happiness itself. They guaranteed the right to pursue it. I infer they meant a fair pursuit, a fair race, that they meant a fair chase. I ask you is it

true in this government today? It is not. Mr. President, in my humble judgment, the rich man's boy, the trust magnate's boy, sails upon a flowery bed of ease while the boy of the laboring man from the very start of the race of life is handcuffed, manacled, and chained. I say the door of opportunity is not today open to all alike as the law intended it should be.

"Go with me, please, to the shop and the field—to the laboring man. Wherever he goes to provide the necessities of life he is met by the tax-gatherer, sent by the trust magnate. The cotton of my shirt is produced by a trust. The leather of the shoes of my good-looking friend, Mr. Beveridge, of Indiana, is produced by a trust. The wool in his coat is produced by a trust. Everything that one can imagine, whether a necessity, a comfort, or a charity, is in a trust. The Holy Bible itself is in a trust, and when you hear the chaplain read from that blessed book every morning, he reads from a book made by a trust. Everything that I can imagine is in a trust except acorns and persimmons. Those are all that are left for the poor people of this country.

"Stop! study and think where we are drifting. When the laboring man takes his bucket or his basket and goes to the beef shop to get his beef he pays tribute to Armour. When he goes to a wire or steel shop to get wire to make his fence or to get nails he pays tribute to a trust. When he goes to a coffin shop to get a coffin in which to bury his babe he pays tribute to the coffin trust, and when he goes to church on Sunday he hears the words of the blessed God and listens to the divine doctrine from a trust-made Bible. Has not the G. O. P. got this country in a nice mess—the wealth of the country concentrated in the hands of a few men, the great masses, the mighty millions, paying tribute!

How true the declaration of Mr. Lincoln. How well he foresaw and foreshadowed coming events.

“Mr. President, this is a great subject. Would that I had the power to handle it as it justly deserves. The people of this great country are long-suffering and patient. God bless the laboring man of the country. God bless the man upon whose shoulders rests the burdens of the government. He bears its burdens in times of peace. He supports and defends it in time of war. God bless the man with the hickory shirt and the overalls, who works, toils and sweats.

“Mr. President, I find in Holy Writ that the Master says, work is honorable. The Master says, ‘Go into the vineyard and work.’ I find nowhere, sir, permission to go into the vineyard and corner all the grapes and become so rich and opulent that when the Master comes you can defy him and turn him from the garden.

“If the trust magnates are not wiped off the face of the earth; if they are not destroyed, instead of the government prescribing the conditions upon which they may do business, they will be telling you directly how the government shall do its business. The trusts today are telling the government how to do business. When Mr. Rockefeller at Chicago testified in the great prosecution there he said, ‘I do not know whether I am in a trust or not. I do not know whether my business bears the earmarks of a trust or not, in fact, if your honor please, I have not been in my place of business for a number of years.’

“Sir, if you will pass this bill, enact this penalty prescribing this penitentiary sentence, Mr. Rockefeller will go down to his place of business every morning. Fear of a penitentiary sentence will awaken him: He will go down there and say, ‘Boys, let’s see about this thing. Have we really got a trust here?’ What does he care about a \$29,000,000.00 fine? For by one simple twist of the

wrist, by one simple manipulation in the trust market he grinds from the American people twice \$29,000,000.00 and goes off smiling. It is the smile that never wears off and in order to ease his conscience he and some of the other trust magnates make large contributions to charities, thereby endeavoring to cover the fact that they have taken the very money which they contribute from the toiling masses of the American people by a wrongful system of enforced contribution to their wealth.

“I hold in my hand a letter from a banker in my state received from an Eastern bank. This banker wanted to know if he could get a sum of money deposited in the Eastern bank as a reserve to draw against. The Eastern bank replied that he could not get any money, not even his own money; that things were tight and close—but they would go out in the market and buy him some money at 3 or 4 per cent premium. Stop and think of that for a minute: Eighty-nine millions of people, the greatest upon God’s green earth, with a country abounding in natural resources, that cannot even be estimated, much less computed; a brave, courageous, generous people, with a government established for their protection and their preservation, reduced to the mean and grovelling necessity of going out and buying money—buying the thing which the government should make, should control—buying money. Is it any wonder that our distinguished President, seeing the trend of times, looking into the future, seeing the rocks of Scylla and Charybdis, seeing the danger to the old ship of state, took off the dollars the motto, ‘In God We Trust’? It is time to take it off. It is time to disconnect God Almighty from the dollar when you have to go out and buy it. Who ever thought of it? Let the fathers in their spirit hover over this government and protect it from the many sharks who would destroy and uproot it. Buying money!

I want to meet some Republican Senator before the most elite audience of the East and discuss the proposition of the Grand Old Party buying money. Have we come to our last extremity? The trusts are controlling and running the government. I do not want any money that I have to buy. I do not like that kind of money. I want money issued as the Constitution of this Union declares it shall be issued—by the government itself—and circulated among its people.

“I wonder what the Grand Old Party is going to put on the dollar. They do not trust in God any more and I wonder in whom they do trust. I wonder where you are going gentlemen, to get your trust. This is the biggest trust I ever heard of. * * *

“The trust question cannot be discussed without including its twin sister—the stock and cotton exchange of New York. They come very near being a trust. In the stock exchange 1,100 men paid as high as \$95,000.00 each for their seats and for what? To pilfer and rob the people of the country of their protection.

“I hail from the Southland where cotton is king. God Almighty has given us a corner upon the greatest commodity upon the face of the earth. I would like to take you in fancy to the cotton fields of my section and show you the little children, thinly clad, on frosty, cold, freezing mornings, picking cotton with their little frosty hands. Those children are just as dear to the hearts of their parents as are your children to you and mine to me. Who controls the price of this product? It is the stock gamblers and thieves of Wall Street where 75, yes 90 per cent of the business of that exchange is purely speculative or gambling. Knock that out and it dies of its own weight.

“Mr. President, at some other day in this session I hope to introduce a bill having for its purpose the destruction of that great evil. Last year we raised about 13,000,000

bales and the New York Exchange sold from six to ten times as much. Thank God the laborers of this country are organizing. From Maine to California, from Cape Cod to Kalamazoo they are getting ready for a fight. It is an unequal fight. Upon one hand we have trained men, trained financiers, money and wealth. On the other hand we have the poor of the earth with all the best of the earth at last but untrained and unskilled in this character of warfare. I hope the day will soon come when we can see the stock gambler of New York in felon's stripes. Why, sir, the penitentiary house would be a summer resort compared with what they ought to have if they have their just deserts.

"Mr. President, in the Southland we are organizing. We are organizing fast. We are organizing quick. We are demanding of the powers that be that the poor people of the earth shall have a just recognition of their rights in the great administration of public affairs. Sir, I would that the laboring people would organize all over this land, no matter whether on the great railroad thoroughfares, in the printing offices, in the shops, in the factories, or on the farms. God speed the day when their organization will prove so strong that Senators on this floor will turn to them eager and anxious to know their desires and wishes.

"As I know, the best way on earth to control a politician is just to get the public behind him. I know two or three men down in my state who have absolutely worn their right ear nearly off holding it to the ground listening for the expression of public sentiment. I say when the labor organizations of this great country get to that point where they can demand respect, then there will be a change in the sentiment of this august body.

"Ah, Mr. President, I am for the under dog in every fight. I do not care what kind of a dog fight it is. You

can just pick out your kind of dog and every time you see a dog fight you may just swear that Jeff Davis is for the under dog in that fight. I am for him every time.

"Sir, I hope the day will come when these labor organizations may be strong enough to cope with this great evil. We of the South are starting right. We are organizing. We are getting together. We are demanding just recognition, and I believe we are going to get it.

"Sir, this panic, in my humble judgment, started by the trust magnates and their co-conspirators and confederates, the stock gamblers, had no other object and no other purpose than to wrongfully take from the cotton producers of the South half of their property. They are trying to do it. You cannot get money. You have got to buy money, you have got to buy products, you have got to buy everything from the trusts. I say, sir, it is an unequal fight.

"May I get one ray of hope from the Republican side on this question? Is there one Senator on the other side who will dare to face their expressed policy and the public declaration of the Republican party and step across the line and give his hand and say he will help to fight this battle? Ah, sir, this is a just cause. It is a just fight.

* * * * *

"Sir, I wish to refer to the Standard Oil for just a moment, and will leave the stock question for that purpose. The Standard Oil, of course, is the old he-trust of the country. It is the one that has all the paraphernalia and the earmarks of a trust. I dislike Standard Oil. I hate the smell of coal oil. Petroleum makes me sick.

"Sir, I ask today that something be done to curtail the great power of this monster trust, Mr. John D. Rockefeller's trust, the great Standard Oil trust.

"Repeating, I say that this panic had for its object and purpose the taking of our crops away from us. What have

we got down in the South? I appeal to every Southern Senator, aye, I appeal to every Southern man to stand ready for this fight. The poor laboring men of the South today are organizing. They are trying to stem the tide. They are trying to resist the force. They are trying to command a decent price for their products. They ask by petition, they ask by memorial, they ask through their representatives that the Congress of the United States, their sworn servants, shall come to their assistance.

“God bless the people of the South, my home land. God bless the people of Arkansas. Mr. President, I never expect to hold an office that shall not be given to me by the people of my native state. I never expect to hold an office that shall not be given to me by their generous hands.

“When I speak the name of Arkansas, I am swept with a flood of memories. It carries me back to my home with my wife and babies. It carries me back to the fields and the farms and the shops. It carries me back to a people as brave, as loyal, as true, and withal as intelligent as any people who live upon God’s green earth.

“They today ask for a respectful consideration of the bill that I introduce. I may present it awkwardly, I may present it without the necessary dignified address of Senatorial decorum, but sir, the meat is there, and I want to know if the Republicans of this nation can afford to go before the country in the great contest that is now on and say by their action on this great subject, ‘We do not intend to harm the trusts; we do not intend to disturb them; we do not want to disturb business.’ Can you afford to do it, gentlemen? Are you going to do it?

“Is this bill going to be put to sleep? Shall this be its fate? Oh, if you do, I say to you today that as long as I have the honor to occupy this seat, as a peer of any

Senator on this floor, this bill shall rise from its ashes; this bill shall rise to fret you, and you had just as well dispose of it now. You had just as well defeat it now, because you have got to beat it at last. You have got to beat it finally. If you want to go to the country with your publicly expressed declaration that you are in favor of killing trusts, and you want to leave that pledge unredeemed, then I challenge any Senator from Maine to California, no matter where he is from, if he will get an audience of his own people, intelligent enough to consider the merits of this bill, and there, sir, I will meet him, and we will fight this question out before his own constituents.

“This is the bill which I present, sir, and I ask that it be referred the Committee on the Judiciary.”

The Vice-President: The bill will be referred to the Committee on the Judiciary.

We find here the salient points of the Senator's speech sufficient to give the reader a fair conception of the speech as a whole. Elsewhere we have mentioned comments made by the press and questions asked the Senator during its delivery. However, the purpose of this biography is to give the reader a better and closer insight to the man, his methods, his sincerity of purpose, and the fight he waged during his entire political career for the laboring man. Carrying out his policy, Senator Davis introduced Senate Bill No. 1730, to suppress dealing in futures, and on January 26, 1909, addressed the Senate in behalf of his bill. Senator Davis seriously believed that gambling in futures as now conducted was a menace to the cotton-growing South. He made a careful study of the subject which he presented on that day and bitterly arraigned the New York Cotton Exchange and the New York gambler and in concluding his address he said: “We of the South make but a simple request, we ask only the passage of a law that will protect

the products of our soil. We ask a law that will stay the ruthless hand of the gambler, that will give to the men and women of the South just return for our labor and toil."

HIS SPEECH AT OZARK.

On February 18, 1908, Senator Davis delivered an address at Ozark in behalf of the candidacy of Judge W. F. Kirby for Governor of Arkansas. In that speech he stated that for six years he had fought for an anti-trust law and for its honest and faithful enforcement; that his efforts had been crowned with success by the Legislature of 1905, but that the enemies of the people had set about in an insidious, underhanded, clandestine manner to destroy the law and had succeeded. He said: "In 1907 we witnessed in our Legislature the most shameful violation of the party pledges that has ever occurred in any state of this union—the anti-trust law which was written upon your statute books almost in blood itself, was torn into shreds, trampled upon by the subsidized press of this state and by the hired minions of corporate wealth. Before that foul and dastardly crime was committed by your Legislature I met them in their assembly hall and warned them that the people of this state would rise up in their wrath and demand an accounting of their stewardship and I swore that their doings should be known and I am here today to make good that promise. * * *

"The trust agents were there. * * * Rooms were fitted up at the Hotel Marion in the city of Little Rock, with champagne, whiskey and cigars; legislators forgot their people, closed their eyes to their duty. They struck the fatal blow; destroyed the law. I want you to look up the record of every man, whether in the Senate or in the House, that voted for the Lee-Browning bill in 1907, and see to it that they never again disgrace Arkansas in the halls of legislation. We have fought too hard and

accomplished too much to have it ruthlessly stolen from us in the night by a crowd of freebooters as willful and determined as any band of pirates that ever sailed the high seas. The trust question is the greatest question before the American people today. It will be the great leading issue in the national campaign, and upon its correct solution the Democratic party must win or lose the coming fight.

“Gentlemen, I promised if you elected me Senator I would let the trust magnates know that I was in town when I got to Washington. On the second day of my advent into the Senate I introduced the anti-trust bill and on the eleventh day of December I bearded the lion in his den, the Douglas in his hall, and gave the trust interests of this country such a drubbing on the floor of that august body as they shall not soon forget. As your public servant I am in Washington striving and working day and night to carry into national legislation the great principles of government for which we have fought so hard at home. While I am away shall these great principles be repudiated at home? Shall my influence and usefulness be crippled and destroyed? I come back to you today to plead with you to hold up my hands. The press and the politicians would muzzle me. They say Jeff Davis must not speak to his people—he will deceive and misguide them. And the *Arkansas Gazette* says I am only trying to strengthen my hold on the people and perpetuate myself in office.

“The fight is now waged against me openly and publicly and if my enemies get charge of the state government for the next four years they declare they will defeat me for my seat in the Senate, but I am not awed by this threat. I know that my political life has been one continuous warfare from the time I started and that it must be a warfare to the end. I know the enemies of good

government would destroy me. I know that if I should sit quietly in my place they would devour me as would a pack of hungry wolves. I thank God that this office was given me by the poor man who toils, who labors, who earns his bread as God commanded, by the sweat of his face, the kindest, gentlest, truest people on God's footstool, and when they demand that I shall surrender back to them the Senatorial toga, I will return it just as I did the Governor's office, as pure and as clean as when they gave it to me. I defy this whole gang of high-collared roosters. I challenge them to the contest. I will meet them before the bar of public opinion and will fight out the issues involved in this campaign. I will not sit quietly in my seat in Washington and allow the work that I have been endeavoring to perform in the interest of the people to be destroyed by them."

I have given here a portion of his speech because it stamps the Senator as being one of the most astute politicians of his or any other age. Charged with leaving his post at Washington and intermeddling in a state contest which should not concern him, he not only justified his action in this respect, but proved the sincerity of his fight for national anti-trust legislation and at the same time discharged an obligation he felt he owed his friend and supporter, Judge Kirby, and undertook to keep the state election in the hands of his friends for future use. It is unfortunate that within this book could not be incorporated all of his political speeches, a careful reading of which must convince the unprejudiced of his remarkable ability as a stump speaker, his unanswerable logic and his intense personality.

OPENING SPEECH IN HIS FIRST CONTEST FOR GOVERNOR.

In his first contest for Governor he was opposed by John G. Fletcher of Little Rock, president of the German

National Bank; Judge Edgar E. Bryant of Fort Smith, and A. F. Vandeventer of Morrilton, Speaker of the House. They first met in joint debate at Center Point, February 12, 1900. In this speech Jeff Davis laid the pattern for his future addresses, except in his contest with Brundidge where he entirely changed his method of stump speaking. He first thanked the people of Howard county for supporting him for Attorney General. He then gave an account of his stewardship in that office, answering the charges that he neglected his duty and ran around the state running for Governor before he had hardly gotten warmed up in the office of Attorney General. The Senator always insisted that the successful candidate must have an issue, that people supported issues and not men. As Attorney General he created the anti-trust issue which he made the basis for his first campaign for Governor. He said that he was sincere when in his race for Attorney General he said that when his term expired he would rather go back to his home and family, to his little old practice, small as it was, in the good old town of Russellville, than to have any office. However, when the anti-trust fight was forced on him he was compelled to go upon the stump and defend his record and could do so only by offering for the office of Governor. He also launched a bitter attack against the *Arkansas Gazette*, saying:

“I stood their vituperation and abuse until it was unbearable. I had no idea of entering into this race but finally this proposition was made: ‘We will make his name infamous in Arkansas.’ ‘Infamous’ in the state where I was born, where my children were born, where I was married and received my education, and hope to be buried when I die! I took that paper home and showed it to my wife, as good and brave a little Southern woman as God ever gave to any man, and asked her what I should

do. She said: 'Notwithstanding the fact that we are poor, notwithstanding the fact that we had little when we were married, notwithstanding the fact that we have little now, yet if it takes everything that we have, even the little home over our heads, and we have to walk out into the street, and begin life over again, go before the people of the state and give the reason for the faith that is in you.' And that is the reason why I am here today.

"Ah, gentlemen, the war is on. Not a battle between my opponents and me—they are gentlemen—but the war is on. It is knife to knife, hilt to hilt, foot to foot, knee to knee, between the corporations of Arkansas and the people. The *Helena World* says that I am a carrot-haired, red-faced, loud-mouthed, strong-limbed, ox-driving mountaineer lawyer that has come to Little Rock to get a reputation; that I am a friend to the fellow that brews forty-rod bug-juice back in the mountains and all that sort of stuff. I have a little boy, God bless him, a little pale-faced, white-haired fellow. I love him better than anybody on earth except his mother. If I find that boy is a smart boy, Judge Bryant, I will go and make a preacher out of him; if I find he is not so smart a boy, I am going to make a lawyer out of him; and if I find that he has not a bit of sense upon earth I am going to make an editor out of him and send him to Little Rock to edit the *Arkansas Democrat*. A lot of squirrel-headed newspaper editors who could not buy five cents worth of beef steak in the town where they live try to tell the people how to vote. Shall it be done or not? Let the books be opened. The fight is on. Howard county holds first. If I lose, it will be heralded all over the state that the people have repudiated the anti-trust doctrine. I have no money to hire newspapers. I mortgaged my office in Russellville two weeks ago to get money to make this canvass."

He then discussed state issues, explaining why he did not meet with the penitentiary board, as it met in Governor Jones' office, and they were not on speaking terms. He further said: "When I fight a man upon principle I want to fight him beside the clear waters, under the blue sky, in open, noble combat. I don't want to get shot in the back. If I die I want to die with my face to the rising sun, with my windows open toward Jerusalem." He also explained his refusal to attend the meetings of the old Confederate Soldiers board. Finally getting to the plan under which the new state capitol was to be built, he said: "I'll say to you that the building of this statehouse under the present plan is the biggest steal that was ever attempted to be perpetrated upon the people of Arkansas. * * *

"I did not start this row, but I am going to keep it up. They went out the other day on the Nineteenth Street Pike and bought fifteen acres of land upon which to build a new penitentiary. What did they give for it? \$5,000.00 for fifteen acres. The land is so poor that a drunken man could not raise a difficulty upon it, so poor you have to manure it to make brick out of it. * * *

"It am not trying to array the country against Little Rock. There are many noble men and women living there. God bless them! But there is a gang down there that needs cleaning out and needs it awful bad. I would give ten years of my life in jail if it was possible to be Governor of the state of Arkansas for two years to clean out some of the things down there; I would clean that gang so clean that it will look like Red River had run through it and that is why they are after me."

He then stated that he had nothing against his opponents and then proceeded to accuse Colonel Fletcher of not being a Democrat but a deserter from his party. He then castigated Judge Bryant for what he said in a speech at Chicago

as published in the *Tribune*, June 11, 1893, as follows: "I am conscious that I voice the sentiment of my people, when standing here in this presence, before my country and my God, as a son of the South, born on Southern soil, and drawing my humble lineage from Southern sires, with not a tie of kinship or personal interest north of the Mason and Dixon line, loving its memories, its traditions, and its history, cherishing the sad story of the 'Lost Cause' as a sacred and priceless heritage, and clinging as to the horns of an altar to a firm faith and belief in the sincerity and patriotic purposes of its leaders—when in this presence, measuring my words, and knowing their full purport and extent, I declare that in the great strife of the sections, the victorious finger-touch of God rested at last upon the banner of the Union."

It is true that Judge Bryant in a speech at a Confederate reunion at Bentonville said, "We stand upon the arbitrament of the sword, fully, finally and completely, and with a growing consciousness that after all a Divine Providence, who watchfully kept the City of His Love, may have ordained it all for the best."

"Gentlemen," said the Senator, "That is a different sentiment from the one expressed in Chicago. God bless it, I approve of it. If I come to you, my brother, and say to you, 'You ought not to have had any difficulty with this man; you are wrong.' That's one thing but when I come to you and say 'I don't regret that you get licked,' that's quite a different thing. He either regrets that we lost or he is glad of it. Judge Bryant was born with a silver spoon in his mouth. I don't say that is a disgrace. He could not help it. I was born over here in the swamps of Red River Valley where the ladies had to wear boots when it was muddy."

He then launched a bitter attack on Vandeventer, stat-

ing that when speaker of the House, Wm. J. Bryan was invited to address the Legislature and the members assessed themselves a dollar to pay the necessary expense; that when they came to Vandeventer for his dollar he said, "Damn the Bryan Committee," and refused to pay the dollar and such a big row was kicked up over it that he afterward paid the dollar. Vandeventer said at Clarksville that any one who said he said "Damn the Bryan Committee" lied. He said at Hope that he did not say this at Clarksville. I hold in my hands an affidavit of Charles Parker that he did say 'Damn the Bryan Committee.' I hold in my hands a written statement of the clerk of the court at Clarksville that he said there that any one who said he said this lied. I hold in my hands a letter from Mr. Vandeventer to Mr. Parker that he did not say this in Clarksville. Now Gentlemen, taking these facts as his record, would you pay any attention to anything that he would say?"

It is needless to say that this was the political finish of Mr. Vandeventer.

"Gentlemen, I may never see you again," Mr. Davis continued. "I hope that I will hold out physically in this race, if God only gives me strength. That is all I ask. When you present a thing to the people and they see it they will always do right. I love my native state; I love its hills and valleys; I love its bright waters. From the health-giving water of Eureka Springs on the north to the great Father of Waters on the east that finally loses itself in the tepid waters of the Gulf; from the pine lands and prairies of the west to our eastern borders, all up and down the hills and valleys of Arkansas there lives as noble, as brave, as generous, as gentle a race of people as ever sunned themselves in the smile of Omnipotent God. The papers say that nobody will vote for me except the fellow

who wears patched breeches and one gallus and lives up the forks of the creek, and don't pay anything except his poll tax. I don't know how true that is, but I want to tell you that there is no great reformation that originated on earth that did not come from the ranks of the humble and lowly of the land. Jesus Christ, when he went out and started the greatest reformation that ever blessed mankind, went to the humble and lowly. He went to the fisherman's cot, to the stone-cutter's bench. He had one smart man in the crowd, and he had to knock the filling out of him in the sand before he could use him.

"Do with this race as you see proper; act upon it wisely, act upon it well. But when you vote, vote intelligently. The fight is on. It is between the trusts and the corporations and the people. If I win this race I have got to win it from 525 insurance agents scattered all over the state. I have to win it from every railroad, every bank, and two-thirds of the lawyers and most of the big politicians. But if I get the plain people of the country to help me, God bless you, we will clean the thing out. Do you mean it? Are you in earnest? If so, help me. As I say, all that I am, all that I expect to be, I commit unto your hands and unto your keeping, knowing that if I deserve your confidence I will receive it. If I do not merit it, you will withhold it. Gentlemen, I thank you."

As stated this speech was characteristic of his subsequent ones in which he always castigated his opponent, defended his own record and made an emotional appeal to the people in his own homely inimitable fashion. It was unanswerable, at least before the average audience which furnished his voting strength. It would be useless to quote from his many speeches for the general outline is the same and it is only our purpose in using these speeches to let the reader see for himself his remarkable knowledge

of the common people, as he termed them, and his wonderful insight as to the manner of reaching them. Perhaps no other political speaker since the day of Lincoln has had such remarkable sway over the masses.

CHAPTER XXVI.

HIS DEATH AND FUNERAL.

Senator Davis passed away at his home on Fifteenth and Broadway in Little Rock on January 2, 1913. His death came so suddenly that many of his close personal friends did not know he was under the care of physicians. Washington was shocked and Congress was convened for only a few minutes Friday morning and then adjourned out of respect for the deceased. The president of the Senate appointed a committee to attend the funeral composed of Senators Clarke of Arkansas, Bryan of Florida, Ashurst of Arizona, Martine of New Jersey, Curtis of Kansas, Clapp of Minnesota, O'Gorman of New York, and Pomerene of Ohio. Speaker Clark appointed Representatives Robinson, Goodman, Macon, Cravens, Floyd, Oldfield and Jacoway of Arkansas, Cullom of Indiana, Davenport of Oklahoma, Nelson of Wisconsin, Miller of Minnesota, Green of Vermont, Reese of Kansas, and Kin-kaid of Nebraska.

All business in the state departments was suspended by Governor Donaghey who said, "I am greatly grieved to learn of the death of our distinguished Senator, and his family and friends have my sincere sympathy. Although his enemies charged Senator Davis with many faults, yet no one can deny that he did a great deal of good for Arkansas."

As a result of the death of Senator Davis a unique political situation arose. Who would be his successor? Governor Donaghey appointed J. N. Heiskell, editor of the *Arkansas Gazette*, to serve until the Legislature could meet and elect. Senator Davis' term would have expired in March

but he had been elected for another term, which needed only to be confirmed by the Legislature. Immediately after Governor Joe T. Robinson had been inaugurated the Legislature elected Judge W. M. Kavanaugh of Little Rock to succeed Mr. Heiskell and he served as United States Senator until Governor Robinson, who had been elected for the full term, qualified in March a short time before the Legislature adjourned. This was the last Senator to be elected in Arkansas by the Legislature. When Senator Robinson was elected by the Legislature it created a vacancy in the office of Governor and a special election was called which resulted in the election of George W. Hayes of Camden. So it came about that through the death of Senator Davis, Arkansas had in three months, five United States Senators—Clarke, Davis, Heiskell, Kavanaugh and Robinson, and in six months a total of six Governors and acting Governors, viz: Donaghey, Robinson, Oldham, Rogers, Futrell and Hays.

Even the *Gazette*, which Senator Davis had fought so bitterly during his entire political career said of him:

“Mr. Davis was a unique figure in the politics of Arkansas. Most of his support came from the country people of the state of whom his constant expression was, that he was one.

“While the departed Senator had been subjected to a great deal of criticism by the press of the country, he was not the man pictured by them. He was straight-forward in his manner and stuck to his friends and made a practice of working for the class he claimed to represent—the farmers and poor men of the state. When Mr. Davis first took his seat in Congress he created a sensation throughout the country by making a speech during the first term of his Senatorship. This was breaking into previous precedent for the Senate.

“At another time he was called to account for an alleged expression said to have been made in regard to an Arkansas land case which was before the United States Senate.”

It may truthfully be said that the expressions of regret at the Senator's death came from political enemies as well as friends and were universal. Whatever faults he may have had were forgotten and all paid tribute to the memory of a man who rose by reason of his own political genius and who stamped his name indelibly in the hearts and memories of the people of his own beloved state.

CHAPTER XXVII.

THE SENATE MEMORIAL.

On March 1, 1913, the Senate of the United States suspended business for the purpose of hearing memorials on the death of Jeff Davis. Addresses were made by Senator Clarke of Arkansas, Senator Bryan of Florida, Senator Ashurst of Arizona, Senator Martine of New Jersey, and Senator Kavanaugh of Arkansas. The chief address was delivered by Senator Clarke, the most brilliant of that august body at that time, and his address has been deemed worthy of a place in this biography as emanating from the mind of one of the biggest men the South ever produced. He spoke as follows:

“Mr. President, Senator Jeff Davis—and he delighted to call himself Jeff, and to have his intimate friends do the same—died suddenly at his home in Little Rock on January 2, 1913. As I said on another occasion, thus ended abruptly and prematurely the career of one of the most extraordinary men who made his appearance in the South in a generation. A simple recital of the events of his life, in sufficient detail to make his methods, his purposes, and his plans understood, would demonstrate this beyond reasonable dispute or cavil, but the proprieties of the present occasion will be satisfied with a less comprehensive treatment of the subject. Perhaps the time has not yet come when this can be done impartially and fully. While the tongue of criticism and complaint is stilled by the shock caused by his death, and in the presence of his sorrowing family and friends, permanent expressions nevertheless exist which will inevitably find expression, when the sadness and sympathy of the hour shall have been for-

gotten, by those outside of the crushed and sorrowing circle of his family. This element may demand a hearing before a final and accepted judgment shall be entered against his name and fame.

“Senator Davis was born in Little River county, Arkansas, on May 6, 1862. His father was Judge Lewis W. Davis, in early life a Baptist clergyman, and subsequently a practicing lawyer of respectable attainments and high character. His mother still survives, and is noted among those who know her as a woman of strong character, superior intelligence, and noble qualities as a wife, mother, and as a leader in the Christian and charitable work of the communities in which she has resided. While the dead Senator was yet a boy his father moved with his family to the county of Pope, where he resided until the time of his death, which occurred a few years since. There young Davis spent his boyhood until he entered the University of the State of Arkansas, where he remained for a period less than that required to cover the prescribed course for graduation. Shortly after he left the university he was chosen prosecuting attorney of one of the most important districts of the state. He discharged the duties of that office in a way that strikingly directed to him the attention of a section of the state which largely exceeded the boundaries of his district. At that time there was a well-organized and fierce conflict raging between what was then known as the People’s party and the dominant party of the state.

“The young prosecuting attorney was frequently taken from his labors in his district and sent to the distant parts of the state to maintain the principles and support the candidates of the Democratic party. His methods of debate were unique and forceful, and never failed to leave behind him an impression that caused the event to be re-

called for a long time after his departure. About the time he was elected prosecuting attorney he was married to Miss Ina McKenzie, herself the daughter of a Methodist minister. It is worth while, in passing, to call attention to the remarkable contribution made to the effective working forces of society by the pioneer Christian preachers of our frontier civilization. The personal hardships of this ministry and the rugged qualities of steadfastness to a high purpose which caused them to devote themselves to the salvation of a weak and fallen humanity, reproduced their honesty and masterful qualities of fidelity in an offspring that constitute many of the leaders of the race in the communities where they cast their lot. The history of nearly every community in the Southwest will disclose instances which furnish verification for this observation. The case of Senator Davis, and that of his beloved and devoted wife, bear as strong evidence of this as any incident within my personal observation. Senator Davis was the beneficiary of much good luck and many fortunate contingencies, but in my humble opinion none of them have so profoundly affected his career as the circumstances which directed his course across the pathway of Ina McKenzie and united his destiny with hers. I enjoyed abundant opportunities of knowing personally that she was a woman of a masterful mind, strong convictions, and of gentle and powerful personality. She was the only person I ever knew who could influence Senator Davis against what appeared to be his settled and fixed whims or purposes. With a woman's intuition she knew exactly what he ought to do, and where her judgment conflicted with his, she generally found means to cause her views and wishes to be respected. She was not an unsexed woman who ruled by force of command, but she employed in her conquest womanly qualities only. These she possessed

without limit, and by the exertion of them was able to control in such a way as to be in fact the helpmate of her husband, and to become the head of a family of children whose habits, character, and demeanor testify to the fact that while she was familiar with the controversies and methods of affairs outside of the home circle, that above all she was at best in her home. A few years since she died, leaving behind her a mourning family of splendid children and a distressed host of friends, all only too sensible of the fact that they had lost a devoted mother and an inspiring counsellor.

“A short time before his death, Senator Davis was married to Miss Lelia Carter, a member of one of the oldest and most respected families in western Arkansas. A host of devoted friends have tendered an inadequate and unavailing consolation of sympathy to her in the hour of this great bereavement.

“Shortly after the termination of his service as prosecuting attorney, Senator Davis became a candidate for Attorney General, one of the most important offices in the state. In those days we did not have what is known as a general or blanket primary election for the selection of party candidates. Each county selected its delegates to the state convention, and the method of selection was determined by each county for itself. These were usually held on different days and by different methods. Some employed a county primary to express the preferences to be supported in the state convention, while some held what is known as a township or precinct meetings to select delegates to a county convention, which in turn would express the preference of the county for the particular state offices. There were several candidates in opposition to Davis, but the principal one was Professor Goar, the head of the Arkansas Law School. In nearly every county where a

convention had been held, the instructions had been given in favor of Professor Goar, and his nomination was considered a foregone conclusion.

“While addressing a meeting of voters in Madison county he suddenly fell dead, and by this sad and sudden event the political history of Arkansas for the intervening years has been cast on lines that could never before have been dreamed of as a possibility. After the death of Professor Goar, the tide of political favor began to turn to Senator Davis, so that when the convention assembled he had a majority of one vote over all his competitors, and was nominated on the first ballot. It is part of the history of that struggle that when the tide of popular favor seemed to be running so strongly in the direction of Professor Goar, Senator Davis, realizing his probable defeat, had begun to mature his plans to transfer his residence to the state of Oklahoma. But all this was changed by his election as Attorney General. From that time forward began a long career as spectacular and turbulent as that of any man who ever sought public office and political control during a period of peace and in a civilized commonwealth. Directly upon his entering the Attorney General’s office the Legislature passed an act intended to suppress the depredations of the commercial trusts in so far as their conspiracies contemplated impositions upon the people of the state of Arkansas.

“A conflict as to the proper interpretation of this act in its application to insurance companies immediately arose, and the new Attorney General construed the statute to mean the absolute exclusion of all such companies from the right to do business in Arkansas if they associated in any part of the world with any group of companies having a common purpose to control rates. This attitude was sharply antagonized by the friends of the insurance com-

panies, and out of this difference of opinion came a pivotal opportunity which he had the ingenuity to seize and develop into volume of protests against the monopoly that proved sufficient to land him in the Governor's office two years later. It is no disparagement to Senator Davis to say that two years before these events occurred no one would have ventured the prediction that such a selection was a political possibility. His election to the Governorship literally wrecked all the organized political plans and systems that had grown up in the state for half a century. The resulting demoralization and revolution in the administration of public affairs was no surprise to those who knew the real intent of the wreck and ruin wrought upon the established order thereby. His stay of six years in the Governor's office was from the very first to the last a period of audacious activity and a constant warfare upon all the old arrangements and political traditions of the state. As Governor he was called upon to make a great many appointments to important public offices. He invariably chose those who might not have expected promotion under the old regime. It is complimentary to the general intelligence and learning of the citizenship of the state that notwithstanding his appointees were chosen from among persons who would not in the regular course be mentioned in connection with the offices they were called upon by him to fill that they invariably 'made good' and vindicated in nearly every instance the sound judgment which he exercised when he seemed to depart from the course marked out by the policy of political heredity. Ingratitude is a very human quality, and it is so freely exercised in the ordinary affairs of men that while it is always hated it is never regarded as a stranger and rarely excites surprise.

"It is complimentary to the sense of appreciation and fidelity of the hosts that he called around him as volun-

teers serving the purposes of a carefully created, systematically organized, and specially favored 'machine' that he was rarely the victim of ingratitude, and those of us who witnessed the 200 or more beneficiaries of his favor as they sorrowfully walked behind the hearse that bore his lifeless body to the grave felt that he had contrived according to a deeper philosophy and a sounder estimate of humanity than many of us suspected when he called around him that body of partisans whom he delighted to call the 'Old Guard.' The Tenth Legion never established its claim to unswerving fidelity and courage by more unmistakable evidence than did this band of loyal and honored citizens.

"Shortly after Senator Davis entered upon the discharge of the duties of the Governorship he developed a desire to extend his political career to the Senate, and he accordingly began to lay his plans and develop issues with this end in view. He invited strife in certain quarters in order to furnish him with an issue that he would successfully attack and thereby intensify the partisanship of his friends and account for the expressed hatred of his enemies.

"The essential facts evolved from even a casual study of his methods are that he never permitted any one to become a half-hearted friend nor a concealed enemy. He early realized that half offended friends might sooner or later find themselves in a position where they could do him more injury by encouraging the warfare of his enemies indirectly than they could as a part of the open opposition. Therefore he never 'fell out' half way with anyone. He knew that in politics the relationship between individuals is one for the advancement of mutual interests, and that such friendships too often endure only so long as mutual regards bind the coalition. It is doubtless true

that many real friendships grow out of the business of politics, but the general course is as he understood it. He frequently found in making his calculations for future political contingencies, that it would better serve his purpose to force a realignment than be burdened with a possible mutiny of some vital part of his combination at a more critical stage of the conflict.

“Thus it happened that at different periods of his political career the same persons were his enemies and friends alternately. When he once accepted a reconciliation with a former enemy he so dealt with him as to convince him that no resentment growing out of the past differences remained, and when one of his friends or allies was forced to take up service on the other side, he generally ridiculed him, less frequently denounced him, into a state of complete harmlessness. Of course, this process could only last as long as he had physical strength and time to go among his fellows and by his personal presence keep them inspired with the sentiments and hostilities of the hour, and to thus communicate to them the fighting spirit of the occasion that only one with his magnetic qualities when aroused could impart. His chief political asset was his power as a stump speaker. In the exercise of this art he exhibited the qualities of a master to a degree that put him in a class to himself. He was not a widely learned man, nor did he desire to be. He was not willing to devote the time and self-denial involved in acquiring familiarity with the views and methods of those who had gone before. He absorbed enough out of the general intelligence of the country to be fairly familiar with many of the leading questions of the day and could discuss them before an audience with a sufficient show of knowledge to impart all the lessons that they seemed willing to absorb. He never concerned himself about mastering in

full scope and detail great and absorbing questions, since he felt that he could make use of such aspects of it as his auditors were willing and desirous of understanding, and that he was therefore engaged in a wholly unprofitable service when he talked over the heads of those who listened to him.

“He knew humanity as few people know it. He did not deal largely with individuals. In fact, as the methods of practical politics are known and practiced, he was not a great mixer. He did not have an accurate memory for names and faces, nor did he seek to make a distinct impression upon particular individuals. He stood fairly well with the whole crowd and said or did something on every occasion that might be recalled in connection with approving comment by nearly every one who heard him. If any disagreed with him they were never in doubt as to the course they would pursue. He was essentially a fighter, and by pursuing tactics that aroused everyone else to the fighting mood he found it easy to enumerate his followers and to know his enemies.

“Those who were not for him were against him. There was no non-committal element in the state when he was up for election. Whether he studied to a finality the philosophy which committed him to this policy, I do not know, but he mastered it as supremely as if he had, and practiced it with a precision of uniformity that could not have been excelled, no matter how closely he might have considered it. To an ordinary campaigner this is a dangerous course, and all that was needed to make it a fatal course was sufficient time, because it is as true in politics as in other lines of effort, that friends fall away from one’s standard more rapidly than his enemies forgive him. Napoleon was never more successful in turning the assaults of an enemy in war than he was in minimizing to nothingness

the assaults of his enemies in politics, and mainly by the power of ridicule and denunciation. He never courted sympathy, because it was certain that his enemies would never extend it, and his friends were bound to him by more virile and enduring forces.

“Probably much of his success as a popular leader was due to the fact that he came into political prominence at a time when there existed a widespread and deep-seated belief in the public mind that the powers of the Governor were being exerted unfairly in favor of a few against the interests of many. The unequal distribution of the wealth and favors of the land were a monumental and simple object lesson that called for an explanation and invited an attempt to apply a remedy. He capitalized this spirit of unrest because he did not seem to understand the situation differently from the people generally. In fact, it was not necessary to understand the underlying philosophy of the cause of it. The fact itself was sufficient to demand a thorough investigation and the application of a remedy, even if fundamentals must be modified in order to prevent a continuance of these conditions. He therefore took as his text the actual inequalities of the situation, of the existence of which all seemed to be aware, and from the effects of which nearly every one was easily made to understand he was a victim. Many who heard him did not care so much for the feasibility of any suggested remedy as they did to have voice given to their conscious dissatisfaction. He supplied this, and in full measure, and was thus relieved from working out his political advancement by the slower process of less gifted aspirants.

“I happen to know that he was not satisfied with his career in the Senate. He accounted for that in many ways, and always promised himself that with more favorable conditions he would be able to place his services here

upon a higher plane of achievement in the future. When he first appeared in the Senate he was smarting under the resentment of wholesale and unwarranted attacks that had been made upon him, and a sort of retaliation seemed to linger with him and to somewhat direct and control his actions and expressions. Long separation from his professional activities and a constant and large outlay incident to an almost constant necessity for campaigning had drawn heavily upon his none too large estate, so that after he entered the Senate he found it necessary to devote much of his time to the paramount obligations of his family. His attention was therefore largely withdrawn from his official duties, and his enforced absence from the Senate thus prevented him from becoming familiar with that routine which is so essential to effective work here. When taunted by his opponents because of the modest extent of his achievements here, he found no difficulty in parrying a thrust which must have proven dangerous to almost any other candidate. He replied that when he came to the Senate he found it governed by traditions and customs that prevented proper recognition of the voice of the people, because its deliberations were dominated by standpatters and reactionaries, Democrats and Republicans alike, and that at the outset of his career he conceived it to be his highest duty to aid in creating a public opinion that would cause the people to replace these customs with those which would make more largely for independence, and its membership a keener appreciation of what the people were entitled to, and a firmer determination to achieve it for them. He enlarged upon the idea extensively and presented it most attractively.

“It was evident to those who were more intimately acquainted with his real opinion that he knew as well as any one else could know that his frequent and long-con-

tinued absences were interfering with the efficiency of his service here. He readily admitted as much before the last state convention, which declared his nomination for a second term, when he said that he was almost gratified to be able to say that his business affairs were now in such condition that he could promise a more constant service in Washington, but no more loyal or devoted one. He said it was his purpose to take upon himself the task of mastering some of the current problems of the day, and he hoped to make himself useful in evolving and applying remedies of a substantial character. His assurance was most gratifying to his friends and followers, who found more difficulty than he did in causing his first explanation to be accepted. In the latter days of his life I found him more disposed to diligently investigate affairs of larger import than in former days, and I noticed an increasing absence of that intemperate form of expression which usually characterized his comment on official matters. I was much impressed with the belief that it was his fixed purpose to achieve a name here that would be creditable to him, and he knew affairs of this life well enough to know that he could only do this by the severest toil and the closest application to his duties. This change of attitude toward the service here was most gratifying to me, and encouraged the belief that should he marshall into a coherent force the great qualities of energy, magnetism, and sincerity which he possessed and devote his combination to the achievement of the substantial things in which his people were interested his task would be easily and creditably performed.

“There are multitudes who believed he died too soon to afford an opportunity for a proper estimate of his real capacity and real purpose. His enemies believed him a mere self-seeking demagogue, who would not scruple to

take advantage of any want of information or misinformation of his followers to advance his own political fortunes, while a larger number of his devoted friends reassured themselves with the conviction that he had a real capacity for statesmanship, and that after he had achieved a position where his own tenure was secure and his apprenticeship ended he would manifest the qualities of industry and constructive ability that would show him to be a real man among men in managing the affairs of the nation. This question may now never be answered to the satisfaction and acceptance of all. I personally knew much of him, and I know that his intelligent qualities never were understood and appreciated to the extent that they deserved. While attracting one class he repelled another, and thus he submitted the question of his real ability and worth to a jury that may now never render a unanimous verdict. He was a greater lawyer than he ever got credit for being, and he was a more powerful intellectual force than casual observers ever believed to be the case. It is creditable to state pride to know that his death has now silenced every criticism, and that there is a real sorrow throughout the commonwealth today because of the event which we so regretfully commemorate today."

CHAPTER XXVIII.

HIS FAMOUS EPIGRAMS.

If any of you farmers want to buy a little squirrel-headed editor, and haven't got change for a nickel, just rub up against a slot machine, take one, and act like you had good sense.

I do not know that I will ever marry again, but if I do, I am coming out here in the country and marry one of these big, fat country girls, that can cook an oven of hot biscuits, throw them up in the chimney, and run around and catch them in her apron before I can get my boots on.

Some men want a woman to sing "Amazing Grace, How Sweet the Sound," and know how to tune a piano, but I want one that knows how to tune a hot stove and bake big hot biscuits with pimples on them.

Some of the gang in Little Rock wanted that one-armed Frank Vaughan to run against me for Governor, and he would if it had not been for breaking up a poker game. They broke up the choir in the Second Baptist Church getting Judge Wood to run, but they didn't want to break up a poker game and the choir, too.

If the boys in the hills will only touch hands with the boys in the valley, we will win one more victory for good government, and in the meantime whip these Yankees out on dry land and let them stink themselves to death.

A committee of your farmers can take Judge Wood, Vandeventer and this Gazette Yankee out back of the smokehouse, take off their vests, shake them around like a dog would a two-year-old possum, and you can put skates on a nigger boy and have him skating around on railroad

passes for ten feet. If you lack a foot or two having enough to plaster on the railroad passes, go down in the judge's pocket and get a few street car tickets.

I have whipped the squirrel-headed editors in Little Rock; in fact, all over Arkansas, until you couldn't convict a nigger for stealing, on the testimony of half a dozen of the squirrel-heads.

I lied on Judge Vandeventer the other day. I went off half-cocked and said that while Vandeventer was running against me for Governor, his wife was at home taking in washing for a living. I lied about this, as I made a little investigation and found out that she was only drawing the water.

I am going to put new britches on Judge Wood and run him for page when the Legislature meets. I will also try to get Vandeventer some sort of a job, even if I have to put him in as chambermaid around the statehouse.

During the last sitting of the Legislature you couldn't even get the Holy Bible through the Legislature until you got the O. K. of Dodge & Johnson, railroad attorneys, who kept a paid lobby hanging around.

Everything has been put on the free list except acorns and persimmons, and I said for God's sake put possums on the free list as I can eat more possums and yellow yam sweet potatoes than any nigger out of jail. This Gazette Yankee gets into everything except shooting scrapes. He can actually smell barbecued meat a mile. Well, I am lying about that; he can't smell it over half a mile.

I have got eight children and nine pointer dogs in Little Rock. If any of you farmers should come to the city, come to my house and make it your home. The fatted calf will be killed, and I will roll down a few big yellow yams, fry some country hams and cook about two

dozen eggs and we will eat eggs until we have every old hen in Arkansas cackling. Just come down there and act like you had good sense.

I am a Hard Shell Baptist in religion. I believe in foot-washing, saving your seed potatoes, and paying your honest debts.

When Judge Wood gets up to speak I want you farmers to call on him for a song. I can't sing. I ruined my voice crying for gravy when I was little. Judge Wood makes more racket singing in the choir in Little Rock than one of your farmers calling your hogs home.

Old Armour and Cudahy never raised a sow and pigs in their life. Yet the prices of meat are so high that I can hardly buy breakfast bacon in Little Rock enough to support my family. I just buy one little slice, hang it up by a long string, and let each one of my kids jump up and grease their mouths and go to bed.

My campaign against my opponents is going to be as easy as taking candy from a baby. I want all of you fellows who ever took a drink to vote for me, and all those who haven't may vote for Judge Wood. I can stay at home and sleep and beat Judge Wood or this Yankee from Morrilton. I am depending on the horny-handed, sun-burned sons of toil, the men that pull the bell-cord over old Beck, to help me fight this battle.

The other day an old farmer caught Judge Wood by the nape of his coat tail, took him off to one side like he was going to ask about a horse thief, and said, "Judge, who got you into this race?" The judge said, "Oh, for God's sake, don't ask me who got me into it; ask me who is going to get me out of it." I will tell you, ladies and gentlemen, who is going to get the judge out of the race. It is the farmers, the mechanics, the wood-haulers, the red

necks and the patched-britches brigade. They are going to put the judge on dry land.

The other day a farmer asked me what Vandeventer did at Morrilton before he got into the Governor's race. I told him he was in the lumber business—that he just lumbered around town.

Bob Rogers, you threatened to kill me. I am not afraid of you. I can take a corncob with a lightning bug on the end of it and run you into the river.

If you red-necks or hill-billies ever come to Little Rock be sure and come to see me—come to my house. Don't go to the hotels or wagon yards, but come to my house and make it your home. If I am not there tell my wife who you are, that you are my friend and belong to the sun-burned sons of toil. Tell her to give you some hog jowl and turnip greens. She may be busy making soap, but that will be all right; you will be properly cared for, and it will save you a hotel bill. The word "Welcome" is written on the outside of the door for my friends.

When I licked that gang at Little Rock during the last campaign, they went around on the streets with their faces looking as long as a saddle blanket. The barbers actually charged them double price for a shave. Some of them call them Colonel, some Captain, some Judge, Judge of what? Judge of good-looking women and good whiskey? There's where the judge shines. The high-collared crowd haven't got sense enough to beat me for Governor, but they know whether it is Schlitz, Budweiser or Pabst.

Excuse me for lying to you the last time I spoke here. I want to apologize. I told you we had a million dollar statehouse steal. I lied about this—it was a million and a half.

I have been so busy the past three weeks fighting these

Yankees running against me I haven't had time to kiss my wife.

I have been led many a time to a farm house on the hillside or valley by the smell of fried meat, as I can smell it further than I can hear a dinner horn or an old cow bell.

If there is any profession the American people can do without, it is the lawyer. Most of them want to go to the Legislature, become the proprietor of a railroad pass or be appointed beer inspector. Lawyers can't do anything but raise a row and get you farmers into a lawsuit. There are more little puny, half-starved lawyers around Little Rock than any town of its size in the United States. They are always onto their job.

The other day an old hay-binder from Skipper's Gap attended our speaking. He took Judge Wood off, and I supposed they were behind the smokehouse to take a drink of booze. He asked Judge Wood who is his campaign manager. Judge Wood replied that it was a little lawyer at Little Rock. Yes, ladies and gentlemen, a little two-by-four upstart lawyer by the name of Wiley who hasn't sense enough to bound Pulaski county. The farmer also drug me to one side and I thought he was going to bum me for a chew of hillside navy. He asked me who is my campaign manager. I told him it was just the farmers of Arkansas.

I am getting tired of politics; politics will ruin anybody in the world. It has almost ruined me.

The campaign is getting as hot as a cooking stove. I hope the old guard will all rally to me one more time. If you will, we will whip that gang at Little Rock once more. I see the Gazette agent out there in the audience giving out that old red harlot, the *Arkansas Gazette*. I had rather be caught with a dead buzzard under my arm or a dead polecat.

Referring to the Supreme Court, he said: There is old Judge B. B. Battle, a member of the Supreme Court, who is president of the ice trust in Little Rock. When I brought suit against them, who do you think we had to serve the papers on? An old coon out on a limb by himself—Judge Battle. One of you farmers can take a pick-axe and run up under his tooth and dig out a quid of gold as big as a young puppy.

In the midst of one of his speeches an old farmer in the audience yelled, "Go on, Jeff, and speak as long as you want to, we are all for you." Laughter followed. Jeff replied: "Much obliged, Captain; but I wish you would sit down and let one fool talk at a time."

On another occasion while addressing a large audience it began to rain. The next day at another appointment he said: I am sorry my friends all got mad at me yesterday at Redfield, but I couldn't help it. They all got as wet as drowned rats. Just before the speaking began, the winds blew and the floods came. Judge Wood had his wife's parasol and he got all his friends under it and kept them dry. Vandeventer bought a dollar and a half umbrella and kept all his friends dry. My friends stayed out in the rain and got wet. Women with babies in their arms shuffled around for shelter, and the babies got so wet they would slip out of their mother's arms just like eels.

Discussing the legislative hearing on the anti-trust bill, he said: The committee sent for witnesses. Whom did they send for? The farmer—the laborers—the mechanic? Did they send for the merchant? Did they send for the class of citizens who bare their breasts and arms and backs to the heat and burden of the day? No! They sent for the insurance agents from Pine Bluff, Helena, Fort Smith, for that high-collared crowd that wear collars so high they can't see the sun except at high noon, looking over the

tops of their collars. They sent for the crowd, that when they shake hands with you, they only give you the tips of their fingers, the crowd that you can't tell from their tracks whether they are going or coming back.

When I was running for prosecuting attorney, I told the boys around Morrilton, Russellville and Plumerville, that if they elected me, I would fill the penitentiary so full of niggers their feet would be sticking out of the windows. If you will look up my record you will find I kept my word. I now ask you to elect me Governor. It has been the dream of my life. The heart-throb of a lifetime, and I promise you here and now that I will run the pardon mill fair and impartial, and none but my friends need come around me begging for pardons.

Did you farmers know that goats were one of the finest things farmers ever raised? The sheriff don't get after them. The tax assessors don't put them on the books, and you don't have to feed them anything, only just throw them a copy of the Gazette or Democrat once a week, give them an old tin can, or throw them a home-made gourd. The beauty of it is, if one of them dies you do not lose anything—only a stink.

The opposition hasn't friends enough here to get up a poker game, and if I would let my friends do as they want they would put you (Judge Tompkins) on the train and send you back to your wife at Prescott.

Ah! ladies and gentlemen, as I came through on the sun-kissed prairies of Arkansas county, the beautiful city of DeWitt recalled old times. It recalled the time when I was a barefoot boy with laughing eyes, chasing the winged butterfly up at Dover, away up there off the railroad in Pope county, where the moon, the sun and stars shine thirteen months in the year; recalled the time when I learned to play "naught is naught, figger is figger, multiply

the white man and subtract the nigger;" when I learned to play the flute and fiddle, and of course to part my hair in the middle. (This sounded like Bob Taylor.) Many a moonlight October night, I have turned my hounds out o'er the hills and valleys of good old Pope county, and the most beautiful music that could come from the keys of an organ, would come from those long, flop-eared hounds of mine. I have picked cotton, possum hunted and raised great big old yaller yam potatoes and pumpkins. Mr. Chairman, isn't your mouth watering? The next night I would pore over my books, as I would learn geometry, common fractions, long division, subtraction, and addition, take down the map and learn to bound everything except the political geography of Arkansas; and while I was doing all of that, those Yankees running against me were in North Dakota learning how to make macaroni.

Keep your seats. It's just one dog wallowing another like I am wallowing my opponents. I didn't know I was going to have a row among the dogs, or I wouldn't have removed my coat.

SOME EPICRAMS FROM HIS COBWEB SPEECH.

The man who owns a million or ten millions of the world's goods is today counted a poor man.

Our fathers did not guarantee to us happiness itself. They guaranteed the right to pursue happiness. The door of opportunity is not today open to all alike.

The Holy Bible itself is in a trust and the chaplain every morning reads from a book made by a trust.

Everything is in a trust except acorns and persimmons; those are all that are left to the poor people of this country.

In the Holy Writ the Master says "Go into the vineyard and work." He does not say "Go into the vineyard and corner all the grapes."

It is time to disconnect God Almighty from the dollar when you have to go out and buy it.

We have come to the last extremity. The trusts are controlling the government. The banks are running the government.

A seat in the stock exchange is an opportunity to get in on the ground floor for the purpose of controlling the price of the commodities of this country.

The trust is a cancerous sore upon the body politic just as upon the human body. The only remedy, the only treatment is the surgeon's knife. Cut it out by the root. Destroy the virus before the whole body politic is affected and destroyed. It was flippantly said to me before I entered this august body that ere I had been a member six months the trusts would have me feeding out of their hands. I may share the crumbs with Lazarus but I swear to you today, by every god in the calendar that never shall I eat from the hands of mammon. President Roosevelt is too wealthy, but I have the President beat a city block. He has five children at his home and it takes \$113,000.00 to support them. I have got eight children and I don't need anything like \$113,000.00 a year to support them.

I wonder what the Grand Old Party is going to put on the dollar. They don't trust God any more; and I wonder in whom they do trust. I wonder where you are going, gentlemen, to get your trust. This is the biggest trust that I ever heard of.

I am for the under-dog in every fight. I do not care what kind of a fight it is. You can just pick out your kind of a dog and wherever you see a dog fight, I do not care where it is, you may just swear that Jeff Davis is for the under-dog of that fight.

CONCLUSION.

Criticism of Senator Davis, whether merited or not, depends on one's viewpoint. His enemies charged him with being a blatant demagogue. The writer knew him better than did any other human being. Now, after many years have elapsed since he became but a memory, I cannot disassociate myself from the deliberate conclusion that he was sincere in his uncompromising attitude of affection for the people. Whether he felt that way at the beginning of his political career, none can say, but he reflected it in his every public act. He never betrayed a trust confided in him by the people. He gave them his best thought and energy and fought for what he conceived to be for their benefit. That they believed in him was evidenced by their unshakable faith, affection and devotion. He was their idol and ideal and their faith in him verged on sublimity. When he passed away, they felt an aching void, an irreparable loss which time could never efface. They believed everything he said and sustained everything he did. With them he was the "King who could do no wrong." His enemies hated him with as much venom as the affection in which he was held by his followers. He needs no epitaph to preserve his memory, for it is indelibly engraved not only on the hearts of his friends and followers, but on the pages of the history of Arkansas.

THE END.

CONTENTS

	PAGE
Foreword	5
Dedication	9
His Early Life	13
His First Experience as a Stump Speaker.....	15
His First Political Contest.....	18
His Service as a Prosecuting Attorney.....	21
His First Defeat for Office.....	24
His Marriage to Miss Ina McKenzie.....	28
His Contest for Attorney General.....	31
The Origin of the Anti-Trust Fight.....	42
The Origin of the State Capitol Fight.....	50
His First Contest for Governor.....	54
The State Convention.....	66
His First Legislature as Governor.....	70
His Second Campaign for Governor.....	75
His Fight for Senator Clarke.....	81
The Penitentiary Fight and Impeachment Proceedings	86
His Third Contest for Governor.....	98
The Senatorial Campaign.....	117
The Kirby-Donaghey Contest for Governor.....	130
His Entrance Into the United States Senate.....	137
The Second Senatorial Campaign.....	141
As a Politician.....	149
His Home Life.....	155
Some Incidents in the Life of Senator Davis.....	159
Arkansas' Trinity	182
The Celebrated Cobweb Speech.....	188
His Death and Funeral.....	215
The Senate Memorial.....	218
His Famous Epigrams.....	231
Conclusion	240

